



Gwinnett

AGENDA PACKAGE

**Board of Construction
Adjustments & Appeals
Hearing**

October 9, 2024

BCAA CHAIRMAN NOTES

**To be read by the Chairman
at the start of the meeting**

BCAA CHAIRMAN NOTES

BEFORE WE GET STARTED WITH TODAY'S AGENDA, I HAVE A FEW ITEMS TO REVIEW:

- I WOULD LIKE TO REMIND INDIVIDUALS THAT PAST MEETING AGENDAS AND MINUTES CAN BE FOUND AT WWW.GWINNETTCOUNTY.COM.
- PLEASE BE AWARE THAT COMMENTS FROM THE AUDIENCE ARE NOT PERMITTED DURING THESE PROCEEDINGS. THIS IS FOR THE COURTESY OF THOSE SPEAKING, AS WELL AS FOR CLARITY AND RECORDING PURPOSES.
- THIS BOARD WILL FOLLOW AND OPERATE UNDER THE ROBERT'S RULES OF ORDER.
- ANYONE WHO WISHES TO SPEAK FOR OR AGAINST ANY MATTER HEARD BY THIS BOARD MUST SPEAK FROM THE PODIUM AND DIRECT ALL QUESTIONS AND COMMENTS TO THE BOARD.
- THERE IS AN OVERHEAD PROJECTOR AT THE PODIUM, WHICH WILL DISPLAY THE INFORMATION TO THE AUDITORIUM AND TO THE TV MONITORS IN FRONT OF EACH PLANNING COMMISSIONER. PLEASE USE THE POINTER DIAL ROD IN FRONT OF THE PODIUM WHEN REFERING TO SPECIFIC ITEMS DURING YOUR PRESENTATION.
- FINALLY, PLEASE MAKE SURE ALL CELL PHONES AND ELECTRONIC DEVICES ARE MUTED OR TURNED OFF. IF YOU MUST TAKE A PHONE CALL, PLEASE DO SO AFTER EXITING THE AUDITORIUM.

- THE PROCEDURES TODAY WILL BE AS FOLLOWS:
 - The Chairman shall call the matter for discussion before the Board.
 - The Chairman shall then call parties in interest who shall have privilege on the floor after identifying themselves by name, address and affiliation with any business or organization which would be relative to the matter being considered.
 - The Chairman shall then call for questions from the Board to the proponents or opponents immediately after their individual presentation.
 - The Chairman shall then call for discussion of the matter by the Board and the voting thereon.
 - The Board may table a vote on a specific matter to a specified future date and time.

AGENDA



**Board of Construction Adjustments & Appeals Hearing
Wednesday, October 9, 2024, at 3:00pm**

Gwinnett Justice and Administration Center
75 Langley Drive, Lawrenceville, GA 30046

- A. Call To Order**
- B. Determination of a quorum**
- C. Opening Remarks by Chairman and Rules of Order**
- D. Approval of Agenda**
- E. Approval of Minutes – April 17, 2024**
- F. Old Business**
- G. New Business**

Case Number:	SBV2024-00007
Applicant:	Thomas and Hutton / Greenleaf Investment Partners
Contact:	Tonya Woods
Phone Number:	678-730-1874
Location:	4303 Pleasantdale Rd, Doraville, Ga. 30340
Map Number:	R6220 030
Acreage:	1.16 acres
Proposed Development:	Industrial

- H. Other Business**
- I. Announcements**
- J. Adjournment**

MEETING MINUTES

April 17, 2024

Board of Construction Adjustments & Appeals Hearing
Wednesday, April 17, 2024, at 3:00pm
Gwinnett Justice and Administration Center
75 Langley Drive, Lawrenceville, GA 30046

Present: David Moss, Regina Young, Robert Ponder, Stoney Abercrombie, Tom Gardner

Absent: Louis T Camerio, Jr, Linda Priest, William Peltier

A. Call To Order

B. Determination of a quorum

A quorum was present.

C. Opening Remarks by Chairman and Rules of Order

D. Approval of Agenda

{Action: Approved Motion: Abercrombie; Second: Ponder.; Vote: 5-0: Moss-Yes, Young-Yes, Ponder-Yes, Abercrombie-Yes, Gardner-Yes}

E. Approval of Minutes – December 13, 2023

{Action: Approved Motion: Ponder; Second: Moss; Vote: 5-0: Moss-Yes, Young-Yes, Ponder-Yes, Abercrombie-Yes, Gardner-Yes}

F. Old Business

None

G. New Business

Case Number:

SBV2024-00001

Applicant:

Chandler Colhard

Phone Number:

404-255-2650

Location:

4445 Britt Rd., Tucker, Ga. 30084

Map Number:

R6165 025

Acreage:

48.70 acres

Proposed Variance Request:

Restoration of the Burns Lake Dam

{Action: Approved Motion: Abercrombie; Second: Moss; Vote: 5-0: Moss-Yes, Young-Yes, Ponder-Yes, Abercrombie-Yes, Gardner- Yes}

H. Other Business

None

I. Announcements

Reminder for Board Members to complete Ethics Review Training.

J. Adjournment

{Action: Approved Motion: Ponder; Second: Abercrombie; Vote: 5-0: Moss-Yes, Young-Yes, Ponder-Yes, Abercrombie-Yes, Gardner-Yes, Peltier-Yes}

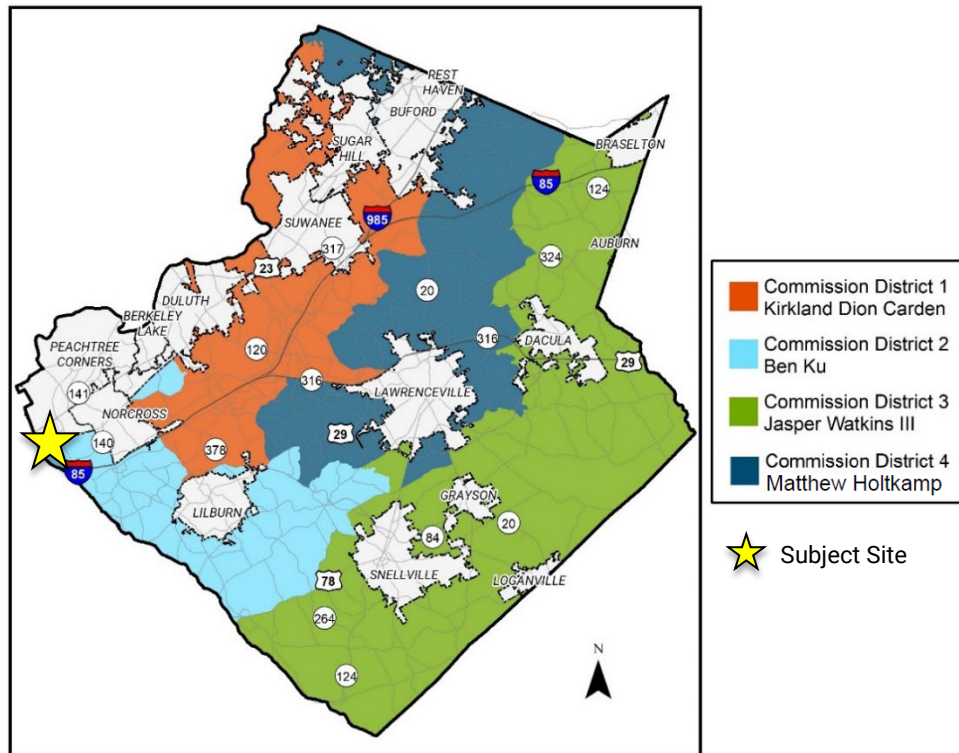
CASE REPORT

SBV2024-00007



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SBV2024-00007
Address: 4303 Pleasantdale Road Doraville, GA 30340
Map Number: 6220 030
Site Area: 1.16 acres
Proposed Development: Industrial
Request: Encroachment into the Gwinnett County 75-ft impervious setback, 50' undisturbed stream buffer, and 25' State stream buffer to accommodate an industrial development.



Location Map

Applicant: Thomas and Hutton
 5074 Bristol Industrial Way
 Suite A
 Buford, GA 30518

Owner: Greenleaf Investment Partners
 3081 Holcomb Bridge Road
 S-A2
 Norcross, GA 30071

Contact: Tonya Woods

Contact Phone: (770) 826-1376

Existing Site Condition

The subject site is a 1.16-acre industrial site in Doraville, Georgia owned by Greenleaf Investments that will be leased, long-term, by Metro Green, LLC. The 75-ft Gwinnett County impervious setback, 50-ft undisturbed stream buffer, and 25-ft State stream buffer are currently present on site.

Project Summary

The applicant is requesting a variance to allow for encroachment into the 75-ft Gwinnett County impervious setback, 50-ft undisturbed stream buffer, and 25-ft State stream buffer to accommodate an industrial development. The proposed development will result in a divergence of the stream via underground conveyance and omitting the need for stream buffers. The proposed disturbance will be as follows:

- 9,198-sf of impervious area encroaching into the Gwinnett County 75-ft impervious setback.
- 16,274-sf of disturbed area encroaching into the Gwinnett County 50-ft undisturbed stream buffer.
- 1,867-sf of impervious area encroaching into the State 25-ft stream buffer.

Variance Requested

The applicant requests approval of a variance from the following regulation of the Unified Development Ordinance (UDO):

1. **Variance from Section 500** to allow encroachments into the Gwinnett County stream buffers.

Exhibits:

- A. Application
- B. Letter of Intent
- C. Gwinnett County Stream Buffer Evaluation Tool
- D. Existing Site Plan and Boundary Survey
- E. Proposed Site Plan and Grading Plan
- F. Copy of PCN Form & USACE NWP Application

Exhibit A: Application

[attached]



STREAM BUFFER VARIANCE APPLICATION

Stream Buffer Protection Ordinance

Please complete this application & submit it with all attachments as stated in the Stream Buffer Variance Guidelines & Information. Please TYPE or PRINT using BLUE or BLACK ink. A variance cannot be processed unless all information accompanies the application; a variance will not be considered when actions of any property owner of a given property have created conditions of a hardship on that property.

<u>Applicant Information</u>	<u>Property Owner Information</u>
Name: <u>Thomas and Hutton/Agent</u>	Name: <u>Greenleaf Investment Partners L099 LLC</u>
Address: <u>5074 Bristol Industrial Way</u>	Address: <u>3081 Holcomb Bridge Road S-A2</u>
<u>Suite A</u>	
City: <u>Buford</u>	City: <u>Norcross</u>
State: <u>Georgia</u> Zip: <u>30518</u>	State: <u>Georgia</u> Zip: <u>30071</u>
Phone: <u>770.271.2868</u>	Phone: <u>866.213.0577</u>
Contact Person's Name: <u>Tonya Woods/ agent</u> Phone: <u>770.826.1376</u>	
Email: <u>woods.t@tandh.com</u>	
Applicant is the (please check or circle one of the following):	
<input type="checkbox"/> Developer <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Developer's/Property Owner's Agent	

Address of Property: 4303 Pleasantdale Road Doraville, Georgia 30340

Subdivision or Project Name: 4303 Pleasantdale Road Lot/Block: NA

District, Land Lot, & Parcel (MRN): 6220 030 (District 6 Land Lot 220 Parcel 030)

Development Type: Industrial

Variance Requested: To allow for encroachment into the 50 foot stream buffer

and 75 foot impervious setback

0-25 feet (1,867 square feet) 25-50 feet (16,274 square feet) 50-75 feet (9,198 square feet)

- Please attach a copy of the completed signed checklist for a Stream Buffer Variance

Applicant Certification

The undersigned is authorized to make this application and is aware that an application or reapplication for a variance affecting the same stream segment on a property shall be heard within 12 months from the date of last action by the Board of Construction Adjustments and Appeals, and in no case may such application or reapplication be considered in less than six months from the date of last action by the Board of Construction Adjustments and Appeals (Article 4, Section 4.2.2).



T. Aguiar
Signature of Applicant
Notary Seal

9.9.2024
Date

Thomas and Hutton/ Tonya Woods Agent

Typed or Printed Name & Title

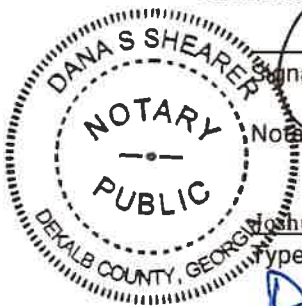
Angela Puckett
Signature of Notary Public

9.9.2024
Date

Property Owner Certification

The undersigned is the record owner of the property considered in this application and is aware that no application or reapplication for a variance affecting the same stream segment on a property shall be heard within 12 months from the date of last action by the Board of Construction Adjustments and Appeals unless such 12-month period is waived by the Board of Construction Adjustments and Appeals, and in no case may such application or reapplication be considered in less than six months from the date of last action by the Board of Construction Adjustments and Appeals (Article 4, Section 4.2.2).

Greenleaf Investment Partners L099, LLC



[Signature]
Signature of Applicant
Notary Seal

9/5/2024
Date

Joshua A. Friedensohn, Manager of Greenleaf Investment Partners L099, LLC

Typed or Printed Name & Title

Dana S Shearer
Signature of Notary Public

9/5/2024
Date

Planning & Development Use Below Only

Date Received: _____ Received By: _____

MRN: _____ Variance Type: _____

Code Section: _____

Zoning District: _____ Commission District: _____

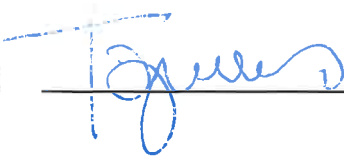
Hearing Date: _____

NOTICE
SIGN POSTING STATEMENT

I have been given a copy of the sign posting instructions and I understand these instructions.
I further understand that the sign is to be posted on or before:

Sign Posting Date: _____

Name: Tonya Woods

Signature:  _____

Address: 5074 Bristol Industrial Way Suite A
Buford, Georgia 30518

Phone: 770.826.1376

Today's Date: 9.9.2024

Case Number: SBV2024-00007



STREAM BUFFER MITIGATION BANK ORDINANCE OWNERS STATEMENT

PROJECT NAME: 4303 Pleasantdale Road
PROPERTY ADDRESS: 4303 Pleasantdale Road
Doraville, Georgia 30340
LANDLOT/DISTRICT/PARCEL: 6220 030

PURSUANT ARTICLE 7.2 OF THE STREAM BUFFER MITIGATION BANK ORDINANCE, I/WE ACKNOWLEDGE ALL OBLIGATIONS PROPOSED TO THE COUNTY FOR THE PURPOSE OF ENCROACHMENT INTO GWINNETT COUNTY'S PROTECTED STREAM BUFFERS. SHOULD THE BOARD OF CONSTRUCTION ADJUSTMENTS AND APPEALS DECIDE IN MY/OUR FAVOR, PAYMENT WILL BE REQUIRED AT THE TIME OF PERMIT ISSUANCE.

IN-LIEU FEE: \$ _____ \$52,013 In lieu Fee

Greenleaf Investment Partners L099 LLC

APPLICANT NAME

SIGNATURE NAME OF OWNER/ MANAGING PARTNER

Joshua A. Friedensohn, Manager of Greenleaf Investment Partners L099, LLC
PRINTED NAME OF OWNER/ MANAGING PARTNER

9/5/2024
DATE

Exhibit B: Letter of Intent

[attached]



5074 BRISTOL INDUSTRIAL WAY, SUITE A
BUFORD, GA 30518 | 770.271.2868
WWW.THOMASANDHUTTON.COM

September 9, 2024

Gwinnett County Planning and Development
446 West Crogan Street
Lawrenceville, Georgia 30046

RE: Stream Buffer Variance request/4303 Pleasantdale Road
Parcel: 6220 030
Attn: Rinda Grooms, P.E.

Dear Rinda:

We are working on a project for our current client, Metro Green LLC that is located on the adjacent property at 4351 Pleasantdale Road (parcel number 6220 010). Metro Green has seen significant growth of their business and is in need of expansion. They have fully utilized all the land available on their current site and have determined that it is necessary to move their shop building. The property to the south of Metro Green is owned by Greenleaf Investments (4303 Pleasantdale Road) and is currently occupied by a warehouse and associated parking on the front portion of the site. The rear of the site is currently not being utilized due to several site constraints which include the stream and associated buffers. The most logical expansion area for Metro Green is to the south of their current operation which is adjacent to their site. The property owner at 4303 Pleasantdale has agreed to a long-term lease to Metro Green LLC in order to provide the additional property they need for their shop building. As shown on the attached exhibits and property plat, the back portion of 4303 Pleasantdale Road is bisected by Gwinnett and Dekalb (City of Doraville) jurisdictional boundaries. We have met with the City of Doraville, and we will be applying for a SBV on the portion of the site that lies in within their City limits.

Please find the draft Georgia EPD SBV application that has been prepared by GAIA Environmental Consulting. The proposed project requires proposed land disturbing activities within the undisturbed state buffer that requires an issuance of a nationwide permit (NWP) from the US Army Corp of Engineers (USACE), along with an approved mitigation plan. Please also find the DRAR & PCN for the NWP30 attached to this application for your reference. Compensatory stream mitigation will be required as outlined in GAIA's Nationwide PCN application and outlined under Section GC 23 (f)(5) of the application.

In addition to the required State permits, we would like to request a Stream Buffer Variance (SBV) from Gwinnett County to allow for encroachment into the state 0'-25' buffer, 25'-50' buffer and the 75' impervious setback.

Please find our calculations for each of the stream buffer encroachment on the attached SBV calculation tool and below:

Proposed Area

Buffer	Disturbed Pervious Square Feet	Total Square Feet/acre
0'-25'	1,867	1,867/.04 acre
25'-50'	16,274	16,274/.37 acre
50'-75'	9,198	9,198/.21 acre

Please also find our attached exhibits for the project that show existing and proposed conditions, along with a plat of the property for your reference. We appreciate your consideration of this Stream Buffer Variance request, and please do not hesitate to call us with any questions.

Sincerely,

Tonya Woods
Project Manager
Thomas and Hutton

Exhibit C: Gwinnett County Stream Buffer Evaluation Tool

[attached]

Gwinnett County Stream Buffer Evaluation Tool

Date: 9/16/2024
 District/ Lant Lot/ Parcel: 6220-010
 Permit/ Case Number (i.e. SBV):
 Project Name: 4303 PEASANTDALE RD
 Applicant Name: MITCHELL STEPHENS
 Applicant Phone Number: (770) 361-8258

Existing Area (square feet{SF})

Type	Zone										
	0-25		25-50		50-75		75-150		150-300		
Impervious	0	SF	0	SF	0	SF	0	SF	0	SF	
Disturbed Pervious	0	SF	0	SF	0	SF	0	SF	0	SF	
Forest	21,957	SF	16,274	SF	9,198	SF	0	SF	0	SF	
Total	21,957	SF	16,274	SF	9,198	SF	0	SF	0	SF	47,429 SF

Proposed Area (square feet{SF})

Type	Zone										
	0-25		25-50		50-75		75-150		150-300		
Impervious	0	SF	0	SF	0	SF	0	SF	0	SF	
Disturbed Pervious	1,867	SF	16,274	SF	9,198	SF	0	SF	0	SF	
Forest	0	SF	0	SF	0	SF	0	SF	0	SF	
Total	1,867	SF	16,274	SF	9,198	SF	0	SF	0	SF	27,339 SF

Buffer Impact 2.26
On Site Mitigation 0.00
Mitigation Needed 2.26

WQ Value Cost (\$/Value) \$23,000
 Total Cost \$52,013

Existing Impact Area (square feet{SF})

Type	Zone						
	0-25		25-50		50-75		
Impervious							
Disturbed Pervious		SF		SF		SF	
Forest	21,957	SF	16,274	SF	9,198	SF	
Total	21,957	ac	16,274	ac	9,198	ac	47,429 SF

Proposed Impact Area (square feet{SF})

Type (Existing>Proposed)	Zone						
	0-25		25-50		50-75		
Forest>Impervious		SF		SF		SF	
Forest>Disturbed Pervious	1,867	SF	16,274	SF	9,198	SF	
Disturbed Pervious>Impervious		SF		SF		SF	
Total	1,867	SF	16,274	SF	9,198	SF	27,339 SF

Impact WQ Value Factor

Type (Existing>Proposed)	Zone					
	0-25		25-50		50-75	
Forest>Impervious	8		6		2	
Forest>Disturbed Pervious	7		5.25		0	
Disturbed Pervious>Impervious	4		3		1	

Water Quality Impact Value = Area * Water Quality Value Factor

Type (Existing>Proposed)	Zone						
	0-25		25-50		50-75		
Forest>Impervious	0		0		0		
Forest>Disturbed Pervious	13,069		85,439		0		
Disturbed Pervious>Impervious	0		0		0		
Total	13,069		85,439		0		98,508

Existing Mitigation Area (square feet{SF})

Type	Zone										
	0-25		25-50		50-75		75-150		150-300		
Impervious		SF		SF		SF		SF		SF	
Disturbed Pervious		SF		SF		SF		SF		SF	
Forest						SF		SF		SF	
Total	0	SF	0	SF	0	SF	0	SF	0	SF	0 SF

Proposed Mitigation Area (square feet{SF})

Type (Existing>Proposed)	Zone										
	0-25		25-50		50-75		75-150		150-300		
Impervious>Disturbed Pervious		SF		SF		SF					
Disturbed Pervious>Restored Forest		SF		SF		SF		SF		SF	
Impervious> Restored Forest		SF		SF		SF		SF		SF	
Preserved Forest						SF		SF		SF	
Total	0	SF	0	SF	0	SF	0	SF	0	SF	0 SF

Mitigation WQ Value Factor

Type (Existing>Proposed)	Zone				
	0-25	25-50	50-75	75-150	150-300
Impervious	0	0	0	0	0
Impervious>Disturbed Pervious	1	0.75	0.25	0	0
Disturbed Pervious>Restored Forest	1.5	1.125	0.375	0.125	0.0625
Impervious> Restored Forest	4	1.5	0.5	0.25	0.125
Preserved Forest			1	0.5	0.25

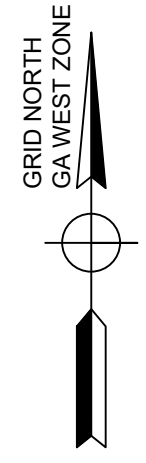
Water Quality Mitigation Value = Area * Water Quality Value

Type (Existing>Proposed)	Zone					
	0-25	25-50	50-75	75-150	150-300	
Impervious>Disturbed Pervious	0	0	0	0	0	
Disturbed Pervious>Restored Forest	0	0	0	0	0	
Impervious> Restored Forest	0	0	0	0	0	
Preserved Forest	0	0	0	0	0	
Total	0	0	0	0	0	0

Exhibit D: Existing Site Plan and Boundary Survey

[attached]

THIS SPACE RESERVED FOR THE CLERK OF SUPERIOR COURT



NOTES:

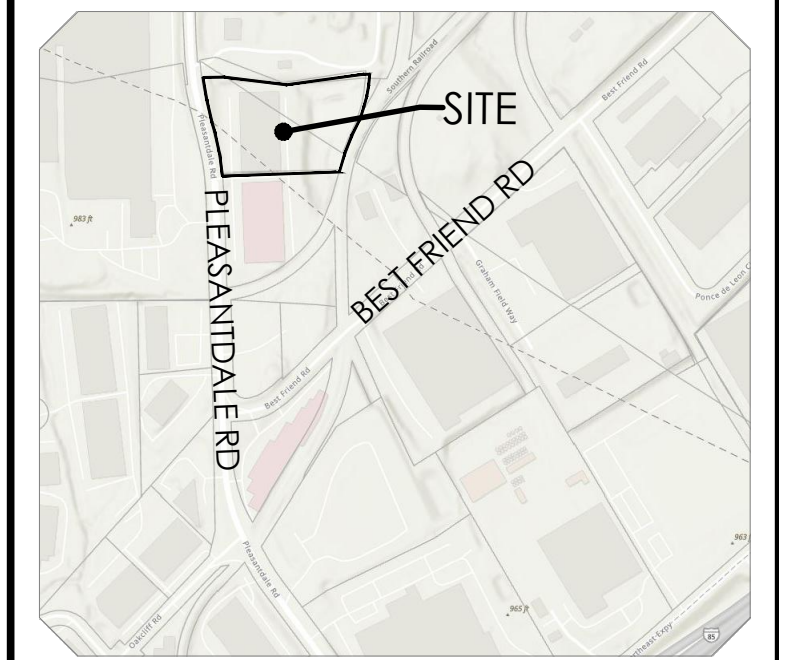
- OFFICIAL GWINNETT COUNTY FLOOD HAZARD MAP COMMUNITY NUMBER 13135C0096F DATED 02/22/2006 SHOWS NO PORTION OF THIS PROPERTY TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARD (ZONE A).
OFFICIAL DEKALB COUNTY FLOOD HAZARD MAP COMMUNITY NUMBER 13089C0040L DATED 08/15/2019 SHOWS NO PORTION OF THIS PROPERTY TO BE IN AN AREA HAVING A SPECIAL FLOOD HAZARD (ZONE A)
- DATE OF FIELD SURVEY 01/04/24.
- TAX MAP NUMBER: R6220 030 (DEKALB COUNTY)
18 318 04 007 (GWINNETT COUNTY)
PROPERTY OWNER: GREENLEAF INVESTMENT PARTNERS, L099 LLC AND SIERRA WESTOAK, LLC.
DEED REFERENCE: DEED BOOK 3396, PAGE 120
- THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE, WHERE A CONFLICT EXISTS BETWEEN THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND O.C.G.A. 15-6-67, THE REQUIREMENTS OF LAW PREVAIL.

REFERENCES:

- QUIT CLAIM IN FAVOR OF PAUL GREENLEAF INVESTMENT PARTNERS L099, LLC AND SIERRA WESTOAK, L.L.C., DATED NOVEMBER 4, 2022, FILED NOVEMBER 11, 2022 AND RECORDED IN DEED BOOK 30654, PAGE 652, RECORDS OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA.

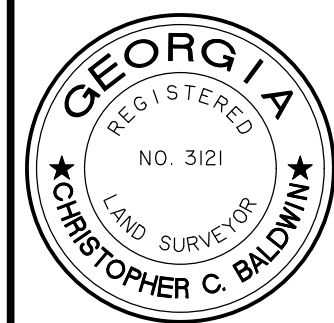
LEGEND

- ⊙ BENCHMARK
- ⊕ CABLE BOX
- CLEAN OUT
- CONC. MONUMENT FOUND
- CONC. MONUMENT SET
- △ CONTROL POINT
- ⊞ ELECTRIC BOX
- ⊞ ELECTRIC METER
- ⊞ ELECTRIC MANHOLE
- ⊞ FIRE HYDRANT
- ⊞ GRATE INLET
- ⊞ GAS METER
- ⊞ GUY POLE
- ⊞ GUY WIRE
- ⊞ GAS VALVE
- ⊞ IRON PIN (SIZE & TYPE)
- ⊞ LIGHT POLE
- ⊞ MAIL BOX
- ⊞ POINT (NO MONUMENT)
- ⊞ POWER POLE
- ⊞ SIGN
- ⊞ SANITARY MANHOLE
- ⊞ TELEPHONE BOX
- ⊞ TELEPHONE MANHOLE
- ⊞ WATER METER
- ⊞ WATER MANHOLE
- ⊞ WATER VALVE
- ⊞ WATER VALVE MARKER
- ⊞ RBF REBAR FOUND



VICINITY MAP not to scale

This document and all reproducible copies of this document are the property of Thomas & Hutton. Reproduction of this document is not permitted without written consent of Thomas & Hutton unless this document becomes a matter of public record. ALTERATIONS TO THIS DOCUMENT ARE NOT PERMITTED.



9/11/24
 Christopher C. Baldwin
 GEORGIA REGISTERED LAND SURVEYOR
 RLS #3121 / LSF #145
 baldwin.c@tandh.com

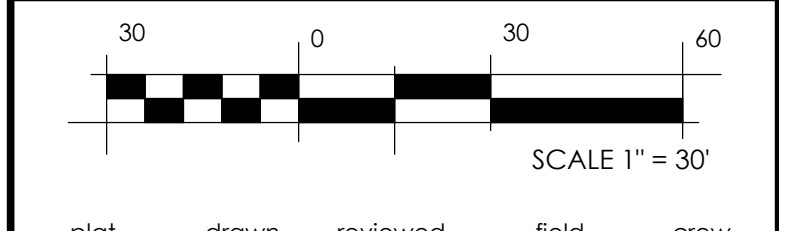
THIS PLAT IS REITRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

BOUNDARY SURVEY
4303 PLEASANTDALE ROAD
LAND LOT 318
18TH DISTRICT
DEKALB COUNTY, GA
LAND LOT 220
6TH DISTRICT
GWINNETT COUNTY, GA

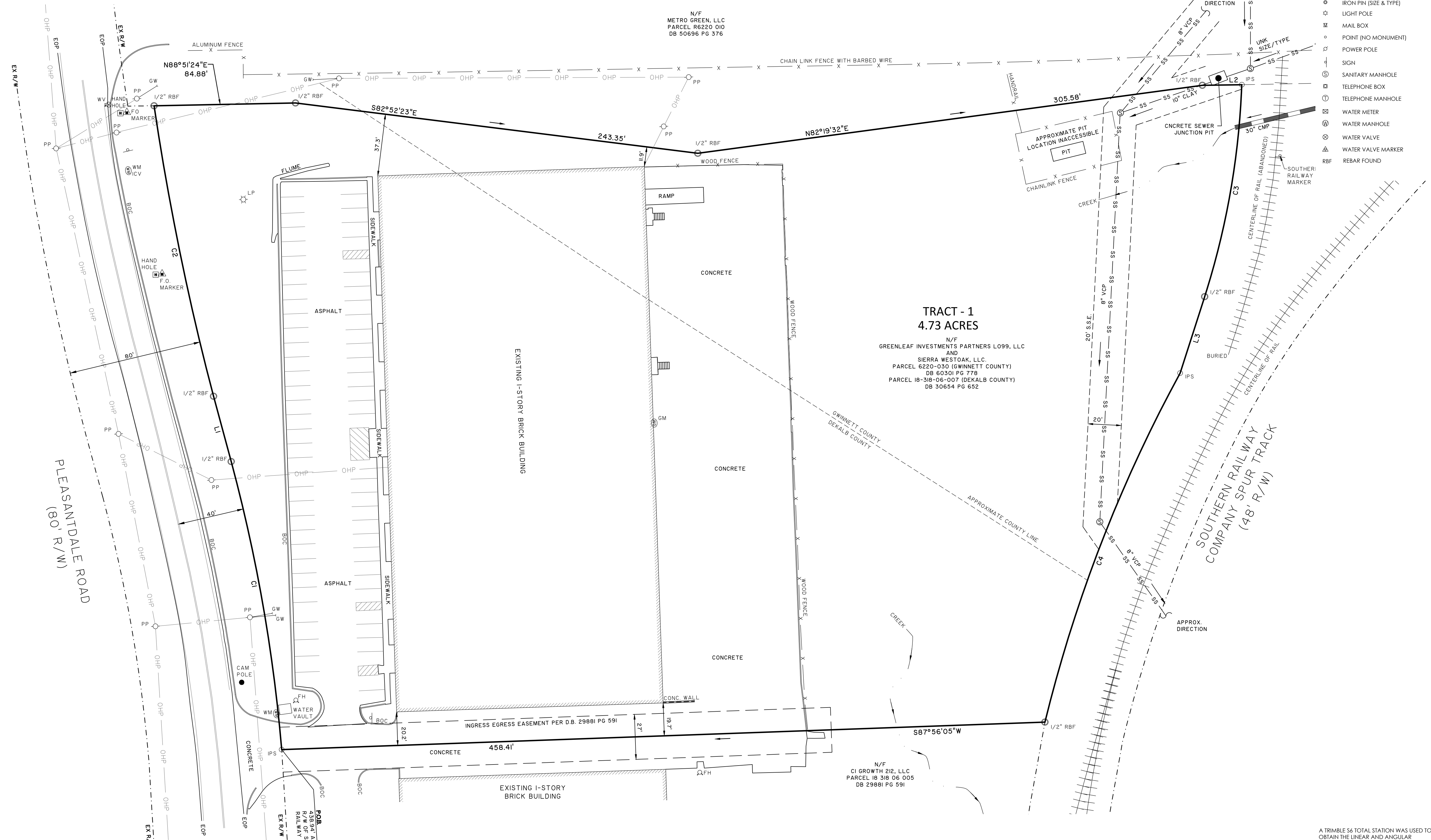
prepared for
 MITCHELL STEPHENS

No.	Revision	By	Date

THOMAS & HUTTON
 5074 Bristol Industrial Way • Suite A
 Buford, GA 30518 • 770-271-2868
 www.thomasandhutton.com



plotted 01/16/24
 drawn MJH
 reviewed CCB
 field 01/04/24
 crew DK
 job 31481.0000 SHEET 1 OF 1



CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	CHD BEARING	DELTA
C1	992.50'	175.79'	175.56'	N 09°56'09" W	10°08'53"
C2	1615.05'	178.05'	177.96'	N 11°33'29" W	6°19'00"
C3	475.30'	129.55'	129.15'	S 09°55'22" W	15°37'01"
C4	869.44'	225.26'	224.63'	S 21°10'12" W	14°50'41"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 15°11'25" W	40.57'
L2	N 89°09'11" E	23.68'
L3	S 17°51'41" W	48.20'

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. PER GEORGIA LAW, THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

GEORGIA811
 Utilities Protection Center, Inc.
 Know what's Below.
 Call before you dig.

Exhibit E: Proposed Site Plan and Grading Plan

[attached]

Exhibit F: Copy of PCN Form & USACE NWP Application

[attached]



September 4, 2024

Mr. Kevin D. Thames, Chief, Project Management Section
U.S. Army Corps of Engineers
Savannah District - Piedmont Branch
4751 Best Road, Suite 140
Atlanta, Georgia 30337

Subject: **DRAR & PCN for use of NWP 39**
4303 PLEASANTDALE ROAD
Land Lot 318 of the 18th District, Dekalb County, Georgia
Land Lot 220 of the 6th District, Gwinnett County, Georgia
Tax Parcel ID #: R6220 030 (Dekalb County)
Tax Parcel ID #: 18 318 06 007 (Gwinnett County)
Gaia Project No. 2024-13

Dear Mr. Thames:

On behalf of **Metro Green, LLC ("MG")**, Gaia Environmental Consulting, LLC ("Gaia") hereby submits the attached U.S. Army Corps of Engineers ("USACE") Appendix I - Request for Corps Delineation Review of Aquatic Resources ("DRAR") and Nationwide Permit ("NWP") Pre-Construction Notification ("PCN") for use of **NWP 39 – Commercial and Institutional Developments** at the above-referenced property (**Att. I - Figures 1 & 2 & Att. II – Boundary Survey**). **MGR** requests authorization to impact waters of the U.S. "WOTUS") for expansion of the existing Metro Green recycling facility (**Att. II – Construction Plans for 4303 Pleasantdale Road - Cover Sheet & Sheet No. C1.0 – Site, Utility & Grading Plan**). The **±4.73-acre** property is located in the **Dekalb and Gwinnett Counties, Georgia**, has global positioning system ("GPS") construction exit coordinates of **33.90306° and 84.24544°** and is situated within the **Upper Chattahoochee Watershed hydrologic unit code ("HUC") 03130001** (**Att. I – Figure 3**).

PCN & NWP Application

To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

GENERAL CONDITIONS ("GCs"):

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

GC 1. (a). This project does not occur within and/or near navigable WOTUS (**Att. I – Figure 4**).

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

Gaia Environmental Consulting, LLC
109 Birchwood Pass
Canton, Georgia 30114-7752
Tele: (404) 992-3573
E-Mail: Stephen@GaiaEnvironmental.Co

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

GC 1. (b & c). Not applicable.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

GC 2. This project will not disrupt necessary life cycle movements of aquatic species indigenous to the project area because pipework installation in WOTUS will be done so in an intermittent stream and where appropriate following guidance provided by the [Savannah District 2021 NWP Regional Conditions \("2021 NWP RCs"\)](#) and, more specifically, RC.A.1-5; RC.C.1.-11.; RC.E.2-4 & 6; RC.F.1 & 2, [USACE Appendix B. Culvert Designs That Restrict Movement of Fish and Other Aquatics](#) & GAEPD 401 Water Quality Certification. In addition, UT 1 is likely an intermittent stream draining a highly urbanized and industrialized area replete nearly 100-percent impervious surfaces.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

GC 3. Not applicable.

4. Migratory Bird Breeding Areas. Activities in WOTUS that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

GC 4. The activity as proposed does not contemplate the take of migratory bird breeding areas (Att. IV - USFWS Official Species List for 4303 Pleasantdale Road).

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48 or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

GC 5. Not applicable.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

GC 6. It is my understanding that the project balances from a cut/fill perspective. Consequently, fill material used for construction-related activities will be clean fill material entirely sourced from the subject property and/or the adjoining Metro Green Recycling facility.

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

GC 7. There are no water supply intakes on or near the proposed project.

8. Adverse Effects from Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

GC 8. Not applicable.

9. Management of Water Flows. To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

GC 9. The project as proposed will not alter pre-construction course, condition, capacity and location of open waters; nor will the project as proposed restrict or impede the passage of normal or high flows (Att. II – Sheet No. C1.0).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

GC 10. Flood zones¹ are geographic areas that the Federal Emergency Management Agency (“FEMA”) has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (“FIRM”) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area. The property located at 4303 Pleasantdale Road lies within flood Zone X² per Dekalb County FEMA FIRM Number 13089C0040L, Panel 40 of 201, Map Revised August 15, 2019 and Gwinnett County FEMA FIRM Number 13135C0096F, Panel 96 of 155, Effective date September 29, 2006 (Att. I – Figure 5 & FEMA FIRM Panels 13089C0040L & 13135C0096F).

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

GC 11. So stipulated.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high-water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

GC 12. Construction activities for 4303 Pleasantdale Road will follow Gwinnett County regulations/ordinances, guidance, standards and specifications; Construction Plans for 4303 Pleasantdale Road (Att. II); a land disturbance permit (“LDP”) as issued by Gwinnett County and the latest edition of the [Manual for Erosion and Sediment Control in Georgia](#) for compliance with the Erosion and Sedimentation Control Act of Georgia (O.C.G.A. 12-7-1, et seq.). Because the property and disturbed acreage are greater than one acre, authorization is required from the State of Georgia, Department of Natural Resources (“DNR”), Environmental Protection Division (“EPD”) to discharge under the [National Pollutant Discharge Elimination System Storm Water Discharges Associated with Construction Activity](#)

¹ Flood zones are geographic areas that the FEMA has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (“FIRM”) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area.

² Zone X includes areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in these zones.

for Common Development Construction Projects (General Permit No. GAR100003). When appropriate a Notice of Intent (“NOI”) will be filed on behalf of MG with the EPD.

13. Removal of Temporary Fills. Temporary structures must be removed, to the maximum extent practicable, after their use has been discontinued. Temporary fills must be removed in their entirety and the affected areas returned to preconstruction elevations. The affected areas must be revegetated, as appropriate.

GC 13. So stipulated.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to a NWP authorization. area.

GC 14. Authorized work in WOTUS will be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP GCs, as well as any activity-specific conditions added by the DE to the NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

GC 15. With this NWP 39 application submittal, the project as proposed is single and complete as no other WOTUS impacts are anticipated to complete buildout of 4303 Pleasantdale Road (Att. II – Sheet C1.0).

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

16. (a). So stipulated.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see GC 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

GC 16. (b). Not applicable.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: <http://www.rivers.gov/>.

GC 16. (c). Georgia has approximately 69,547 miles of rivers, of which only 49.2 miles of the Chattooga River are designated as Wild & Scenic³.

³ <https://www.rivers.gov/river-app/index.html?state=GA>.

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

GC 17. The project as proposed will not impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights (Att. V).

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of “effects of the action” for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding “activities that are reasonably certain to occur” and “consequences caused by the proposed action.”

GC 18. (a). So stipulated.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

GC 18. (b). Not applicable.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat or critical habitat proposed for such designation, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation), the pre-construction notification must include the name(s) of the endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or that utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. For activities where the non-Federal applicant has identified listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have “no effect” on listed species (or species proposed for listing or designated critical habitat (or critical habitat proposed for such designation), or until ESA section 7 consultation or conference has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

GC 18. (c). According to a March 20 and June 26, 2024, USFWS Official Species List for 4303 Pleasantdale Road, the Tricolored Bat, a proposed endangered species; Whooping Crane, an experimental population, non-essential species; Michaux's Sumac, an endangered species; and the Monarch Butterfly, a Candidate species could potentially be located on, or in close proximity to, the property. No critical habitats or National Wildlife Refuges were identified near the property (Att. IV - USFWS Official Species List for 4303 Pleasantdale Road).

MAMMALS

Tricolored Bat (*Perimyotis subflavus*)⁴

The tricolored bat is a small insectivorous bat that is distinguished by its unique tricolored fur and often appears yellowish to nearly orange. The once common species is wide ranging across the eastern and central United States and portions of southern Canada, Mexico and Central America. During the spring, summer and fall - collectively referred to as the non-hibernating seasons - tricolored bats primarily roost among live and dead leaf clusters of live or recently dead deciduous hardwood trees. In the southern and northern portions of the range, tricolored bats will also roost in Spanish moss (*Tillandsia usneoides*) and *Usnea trichodea* lichen, respectively. In addition, tricolored bats have been observed roosting during summer among pine needles, eastern red cedar (*Juniperus virginiana*), within artificial roosts like barns, beneath porch roofs, bridges, concrete bunkers, and rarely within caves. Female tricolored bats exhibit high site fidelity, returning year after year to the same summer roosting locations. Female tricolored bats form maternity colonies and switch roost trees regularly. Males roost singly. During the winter, tricolored bats hibernate - which means that they reduce their metabolic rates, body temperatures and heart rate - in caves and mines; although, in the southern United States, where caves are sparse, tricolored bats often hibernate in road-associated culverts, as well as sometimes in tree cavities and abandoned water wells. Tricolored bats exhibit high site fidelity with many individuals returning year after year to the same hibernaculum. Tricolored bats are opportunistic feeders and consume small insects including caddisflies, moths, beetles, wasps, flying ants and flies. Tricolored bats mate in the fall, hibernate in the winter and emerge in the spring. They then migrate to summer habitat where females form maternity colonies, where young are born. Bats disperse once young can fly, and then return to winter habitats to swarm, mate and hibernate. Tricolored bats exhibit site fidelity to both winter and summer roost habitat. The oldest tricolored bat on record is a male recaptured 14.8 years, after it was originally captured and banded. Male and female tricolored bats converge at cave and mine entrances between mid-August and mid-October to swarm and mate. Adult females store sperm in their uterus during the winter and fertilization occurs soon after spring emergence from hibernation. Females typically give birth to two young, rarely one or three between May and July. Young grow rapidly and begin to fly at 3 weeks of age and achieve adult-like flight and foraging ability at 4 weeks. Adults often abandon maternity roosts soon after weaning, but young remain longer. Tricolored bats are considered juveniles, called *subadults*, when entering their first hibernation and most probably do not mate their first fall.

Forage and summer habitat likely do not exist on or near the subject property due to highly urbanized, industrialized and/or the areal extent of impervious surface(s) in close proximity to the subject property.

BIRDS

Whooping Crane (*Grus americana*)⁵

The whooping crane occurs only in North America, specifically within Canada and the United States, and is North America's tallest bird. Historically, more than 10,000 whooping cranes once populated North America. Its north to south range included Canada and the United State to Mexico, and its east to west range included the Rocky Mountains to the East Coast, as documented in the 5-year review in 2011. Population declines were caused primarily by shooting and destruction of habitat in the prairies from agricultural development, as was noted in the international recovery plan in 2007. The international recovery plan also notes that all whooping cranes alive today have come from the all-time low of 15 whooping cranes that were wintering at Aransas National Wildlife Refuge in Austwell, Texas in 1941. This is currently the best place to find this species during the winter, as noted by Cornell University in 2019. Cornell University also notes that in the summer, this species can be found at Wood Buffalo National Park in Canada and that Nebraska's Platte River often hosts this species during migration. The whooping crane breeds,

⁴ www.fws.gov/species/tricolored-bat-perimyotis-subflavus.

⁵ <https://www.fws.gov/species/whooping-crane-grus-americana>.

migrates, winters and forages in a variety of habitats, including coastal marshes and estuaries, inland marshes, lakes, open ponds, shallow bays, salt marsh and sand or tidal flats, upland swales, wet meadows and rivers, pastures and agricultural fields. Summer foods include large nymphal or larval forms of insects, frogs, rodents, small birds, minnows and berries, as R. P. Allen documented in 1956, and was later confirmed by N. Novakowski in 1966 and D.G. Bergeson and others in 2001. Allen and many other researchers documented that the whooping crane winter diet consists mainly of blue crabs (*Callinectes sapidus*), clams (*Tagelus constricta*) and Carolina wolfberry (*Lycium carolinianum*). Carolina wolfberry (*L. carolinianum*) is an important food for whooping cranes in the fall. Whooping cranes are tall, white birds with long necks and long legs. They have stout, straight bills. Their body is slender and widens to a plump bustle by the tail. When in flight, the wings of a whooping crane are broad and the neck is fully extended. Their wingspan is more than seven feet. This species is monomorphic; both sexes stand about 5 feet (1.5 meters) in height when standing erect. Every two to three years, whooping cranes complete a full flightless molt of primary flight feathers, which makes them more vulnerable to predation threats and perhaps prompts them to change their habitat selection from open wetlands to areas with a higher concentration of cover, as noted by A. Lacy and D. McElwee in 2016. Whooping cranes are a long-lived species, with current estimates suggesting a maximum longevity of at least 30 years for individuals in the wild, as documented by C. Mirande and others in 1993. A.F. Moody documented in 1931, and F. McNulty later confirmed in 1966, that captive individuals can live 35 to 40 years. The historical range of the whooping crane from north to south range included Canada and the United State to Mexico, and its east to west range included the Rocky Mountains to the East Coast.

Habitat for the Whooping Crane does not exist in close proximity to the subject property.

INSECTS

Monarch Butterfly (*Danaus plexippus*)^{6 & 7}

The monarch is a species of butterfly in the order *Lepidoptera* (family *Nymphalidae*) that occurs in North, Central, and South America; Australia; New Zealand; islands of the Pacific and Caribbean, and elsewhere. Adult monarch butterflies are large and conspicuous, with bright orange wings surrounded by a black border and covered with black veins. The black border has a double row of white spots, present on the upper side and lower side of forewings and hindwings. Adult monarchs are sexually dimorphic, with males having narrower wing venation and scent patches. The bright coloring of a monarch is aposematic, as it serves as a warning to predators that eating them can be toxic. Courtship behavior of monarchs has been described in detail and consists of a mating ritual, where a male grasps the female in the air and brings her down to the ground, where mating occurs. Mating occurs several times, both during the summer and at the overwintering sites. Mating attempts frequently fail because of resisting by females. Monarchs lay their eggs singly on the underside of leaves and sometimes on the flowers of different milkweeds (*Asclepidaceae*: *Asclepias*). Recent analysis of genomes of migratory and non-migratory monarchs shows that monarchs originated in North America from a migratory ancestor. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.), and larvae emerge after two to five days. Larvae develop through five larval instars (intervals between molts) over a period of 9 to 18 days, feeding on milkweed and sequestering toxic cardenolides as a defense against predators. The larva then pupate into chrysalis before closing 6 to 14 days later as an adult butterfly. There are multiple generations of monarchs produced during the breeding season, with most adult butterflies living approximately two to five weeks; overwintering adults enter into reproductive diapause (suspended reproduction) and live six to nine months. The pupa (chrysalis) is formed by the larva hanging on a substrate, such as underside of leaves and twigs, usually away from the host plant. When formed, it is green with gold markings. Development from egg to adult takes less than a month. In North America, the monarchs go through at least four generations a year before they start migrating south in the fall. Adults are strong fliers and can fly for 11 hours straight. In the fall, enough fat is stored in the adults to allow a continuous 1000 km

⁶ U.S. Fish and Wildlife Service. 2020. [Monarch \(Danaus plexippus\) Species Status Assessment Report. V2.1 96 pp + appendices.](#)

⁷ Monarch Butterfly, *Danaus plexippus* Linnaeus (Lepidoptera: Nymphalidae: Danainae). Document No. EENY-442. Original publication date October 2008. Revised December 2014 and March 2021. Andrei Sourakov, Entomology and Nematology Department, UF/IFAS Extension. Florida Museum of Natural History, Gainesville, FL.

(~620 miles) flight without feeding. Some make a journey of a total of 4000 km (~2500 miles) to reach overwintering sites in the Sierra Madre de Oriente, where they settle inside the coniferous forest of the state of Michoacán. Monarchs also fly across the Gulf of Mexico with overwater flights of 600 km (~375 miles). A tagging program was initiated by F. A. Urquhart of the Royal Ontario Museum in the 1950s and is continued to this day. It allowed scientists to determine the migration path of monarchs. Monarch butterfly larvae feed almost exclusively on milk weed, the plant from which they gain their poison. Adult monarchs live on a diet of nectar and water. Monarchs feed extensively on the way, accumulating body fat sufficient to last them through the winter. At the overwintering sites in Mexico, the monarchs spend over four months in a reproductive diapause. They feed and drink as the weather warms up but return to their resting sites. Monarchs begin to fly north in March, reproducing along the way. Migration north continues, with the second and third generations recolonizing the continent. The ability to navigate to the overwintering sites is genetic and is linked to time-compensated sun compass orientation. This ability requires constant recalibration of genetic program by changing surrounding. It is linked to the activity of the central complex, a midline structure consisting of protocerebral bridge and central body in Monarch's brain. Geomagnetic forces are probably used as monarchs get closer to their overwintering sites since the migratory monarchs' bodies contain higher quantities of magnetic material than non-migrating butterflies. The vicinity of overwintering sites in the Mexican Transvolcanic Range contains high level of magnetic anomalies, which probably help monarchs find them. Social behavior and pheromones probably also play a large role in choosing the overwintering site. Monarch toxicity has been linked to the toxicity of the plants upon which they feed. Monarchs oviposit on milkweeds of the genus *Asclepias* from which the caterpillars collect the cardiac glycosides toxic to birds. These substances are passed on to adult butterflies, which are also toxic. The idea of automimicry (that some monarchs are more toxic than others, but that the birds, unable to distinguish between the traits, avoid all of them) has been investigated. Apparently, there are costs and benefits to the ingestion of glycosides, since it was shown that monarch females prefer plants with intermediate cardenolide level, rejecting higher and lower level-containing plants. Monarchs are not endangered as a species due to many sedentary populations in the south of its range. However, the deforestation around their overwintering sites in Mexico puts the northeastern population of monarch and the remarkable phenomenon of migration in danger. For instance, in 2002 severe winter weather killed off an estimated 80 percent of monarchs in overwintering colonies in Sierra Chincua and Sierra Campanario, with some colonies reduced in size by 90 percent. A few years ago the controversy over the influence of Bt corn on monarch mortality arose. However, though mortality due to ingestion of corn pollen does occur, it has been shown that its effect on monarch population might not be as dramatic as was initially thought.

Habitat for the Monarch Butterfly does not likely exist in and around the subject property do to the industrialized/urbanized project location.

FLOWERING PLANTS

Michaux's Sumac (Michaux's Sumac)⁸

Habitat for the Michaux's Sumac typically consists of dry, open, rocky, or sandy woodlands over mafic bedrock with high levels of calcium, magnesium, or iron; often on ridges and river bluffs. Georgia has two very small populations of dwarf sumac; three other populations were destroyed. One of the two existing sites was restored with plants rescued from that site before a construction project; the plants were later re-introduced. The restored population has only female-flowered plants, the other population has only male-flowered plants. The two populations are about 80 miles apart and, therefore, do not reproduce sexually. Efforts to produce fertile seed by manual pollination have not been successful.

Habitat including dry, open, rocky, or sandy woodlands over mafic bedrock suitable for Michauxii's Sumac is not present in the project area. The project area is comprised of a both topographically and developmentally-confined (e.g., several existing & abandoned railroad tracks, roadways, commercial/industrial businesses, etc.), an intermittent stream and toe-of-slope wetland.

⁸ http://georgiawildlife.com/sites/default/files/uploads/wildlife/nongame/pdf/accounts/plants/rhus_michauxii.pdf.

(d) As a result of formal or informal consultation or conference with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWP.

(e) Authorization of an activity by an NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at www.fws.gov/ or www.fws.gov/ipac and www.nmfs.noaa.gov/pr/species/esa/, respectively.

GC 18. (d - g). So stipulated.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act (“MBTA”) and the Bald and Golden Eagle Protection Act (“BGEPA”). The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether “incidental take” permits are necessary and available under the MBTA or the BGEPA for a particular activity.

GC 19. Expansion of the MG Recycling facility will not require any “take” permits required under USFWS regulations governing compliance with the MBTA or the BGEPA.

20. Historic Properties. (a) No activity is authorized under any NWP which may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

GC 20. (a). So stipulated.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)(1)). If preconstruction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

20. (b). Not applicable.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the preconstruction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts commensurate with potential impacts, which may include background research, consultation, oral history interviews, sample field investigation, and/or field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: No historic properties affected, no adverse effect, or adverse effect.

GC 20. (c). In May 2024, R.S. Webb & Associates (“RSWA”) conducted a cultural resources (“CR”) literature review and Phase I CR field survey of two overlapping 100-meter (“m”) study radii originating within the 4303 Pleasantdale Road development tract in DeKalb and Gwinnett Counties, Georgia. The study radii cover locations where sections of streams will be impacted by construction at 4303 Pleasantdale Road; these radii are defined as the “project area” or “study radii.” In total, the project area covers approximately 5.1 hectares (“ha”) (12.4 acres) and constitutes the project Area of Potential Effects (“APE”). Approximately 1.5 ha (3.6 acres) of the study radii are located within the project parent tract and constitute the APE for direct impacts, while the remaining 3.6 ha (8.8 acres) are outside the parent tract and comprise the APE for indirect impacts. RSWA conducted the survey at the request of Gaia Environmental Consulting, LLC, who provided RSWA with maps/ drawings showing the study radii around the stream impact locations and the limits of the development tract. Areas within these radii are subject to USACE permitting. Due to this permitting, the project must comply with the National Historic Preservation Act (“NHPA”). Under the NHPA, a CR survey is conducted to determine if archeological and/or historic resources eligible for the National Register of Historic Places (“NRHP”) will be affected by a proposed project.

When found within the project APE, CR are assessed for significance using the NRHP eligibility criteria set forth in 36 CFR Part 60.4. The current cultural resources survey was conducted following guidelines set by the Georgia Council of Professional Archaeologists (2019) and the U.S. Secretary of the Interior (Federal Register 1983). Georgia Historic Preservation Division (“HPD”) offices closed to the public indefinitely on March 16, 2020; therefore, certain records/files not available online could not be reviewed. These sources include, but are not limited to, the National Register of Historic Places (“NRHP”), Identified Sites and DeKalb/Gwinnett County historic structure survey records/maps. Through Georgia’s Natural, Archaeological, and Historic Resources Geographic Information System (“GNAHRGIS”), records at the Georgia Archaeological Site File (“GASF”), University of Georgia in Athens were examined, including pertinent site forms and Laboratory of Archaeology manuscript/report files. Historic structures/resources information available on GNAHRGIS was also reviewed. Previously collected data on early county historic structure surveys were reviewed in house. The NRHP, Georgia Centennial Farm listings and historic maps were queried online. Information on relevant land lotteries was examined through the Georgia State Archives online database. Aerial photographs were examined courtesy of the Digital Library of Georgia, Historicaerials.com and similar sources. Civil War Sites Advisory Commission resources (“CWSAC”) (1993, 2010), the Civil War military

atlas (Davis et al.1983) and The Campaign for Atlanta (Scaife 1993) were consulted for the locations of relevant Civil War-era military actions or associated sites.

RSWA systematically surveyed the project APE for direct impacts for archeological resources employing surface and subsurface techniques on a 30-m grid. Exposed surfaces within the project APE were inspected for artifacts and surface features. Subsurface techniques included the excavation of 30-centimeter diameter screened shovel tests to sterile subsoil. Shovel test profiles were inspected and soil data recorded. Shovel testing was conducted at designated stations across the APE except where: impervious surfaces were present; land had been graded/disturbed to subsoil; sloping landforms of 15 percent slope or greater were present; or where wetlands/open water were encountered. Occasionally, shovel tests were offset slightly to avoid heavily disturbed locations. Shovel test intervals were reduced to 15-m intervals as needed to sample diminutive landforms with a moderate to high probability of containing archeological sites. RSWA used these methods to assess the condition and nature of archeological deposits and to evaluate resource significance based on NRHP eligibility criteria [36 CFR Part 60. (a-d)].

The historic resources field survey was designed to identify possible historic buildings and features across landscapes within the project APEs for direct and indirect impacts. This survey included a pedestrian inspection of the APE for direct impacts for historic resources with surface and/or above-ground features. The APE for indirect impacts (i.e., beyond the parent tract boundaries) was inspected for similar features from the parent tract boundaries or from public rights-of-way. The APEs were photographed to document their nature and condition. Historic (i.e., at least 50 years old) resources observed in the project APEs were photographed, located via GPS and assessed for age, condition and NRHP eligibility. According to the GNAHRGIS and National Park Service online databases, no NRHP-listed properties are located within 1.0 kilometer (km) of the project area. Likewise, no Georgia Centennial Farms, cemeteries or Civil War properties are within 1.0 km of the project area. The GNAHRGIS database however, indicates that at least 10 previous cultural resources investigations projects have been performed within 1.0 km of the project area. These projects were all related to Pleasantdale Road and/or Interstate 85, with the closest project being a section of Pleasantdale Road located approximately 572 m to the south (DeFrancisco et al. 2019). GASF/GNAHRGIS identify two recorded archeological sites located within 1.0 km of the study radii. Both sites are pre-contact scatters recorded by an avocational archeologist at an unknown date. Site forms provide no location maps; but GNAHRGIS places the closest of these sites, 9GW154, approximately 590 m northeast of the project area.

Sections of four rail spurs are located within the project APE for indirect impacts that were extended from the circa 1871 Atlanta & Charlotte Air Line corridor located approximately 1.4 km to the northwest. The Air Line railroad is now part of the Norfolk Southern Railway. Older rail corridors in Georgia are considered eligible for the NRHP under Criteria (a) and (c) (Georgia Department of Transportation 2018), but no historical context is known for middle to late 20th century rail spurs established in support of localized commercial/industrial enterprises. These corridors will not be impacted by the current stream impact project. No archeological resources were recorded within the limits of the current APE for direct impacts. Two historic resources were recorded within the project APEs for direct and indirect impacts. Historic Resource No. 1 is an abandoned sewer line junction pit in the APE for direct impacts, while Historic Resource No. 2 includes sections of four rail spurs in the eastern APE for indirect impacts that tie into the Norfolk Southern Railway main line 1.4 km to the north. Historic Resource No. 1 is recommended ineligible for the NRHP under all criteria due to its abandonment, loss of components and isolation from the nearby modern active sewer line. The four sections of rail spurs comprising Historic Resource No. 2 are considered ineligible for the NRHP under all criteria. These late historic rail spurs likely retain marginal historic integrity, but there is no clear context for middle to late 20th century rail spurs established in support of late historic to modern commercial/industrial enterprises. These spurs are also well removed from the NRHP-eligible primary rail line to the north and do not contribute to the significance of that historic transportation route. Regardless of NRHP eligibility status, Historic Resource No. 2 will not be impacted by the current project. Assuming that the USACE and HPD agree that Historic Resource Nos. 1 and 2 are ineligible for the NRHP, no additional cultural resources work is advised for these properties or the proposed 4303 Pleasantdale Road stream impacts project.

For the complete Phase I CRS for 4303 Pleasantdale Road, please refer to Attachment V – Historic Properties Information for 4303 Pleasantdale Road.

(d) Where the non-Federal applicant has identified historic properties on which the proposed NWP activity might have the potential to cause effects and has so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/ THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

GC 20. (d & e). So stipulated.

21. Discovery of Previously Unknown Remains and Artifacts. Permittees that discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by an NWP, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

GC 21. Should MG discover any previously unknown historic, cultural, or archeological remains and artifacts while accomplishing the activity authorized by NWP, MG will immediately notify the DE, and to the extent practicable, avoid construction activities that may affect the remains and artifacts until required coordination has been completed.

GC 22. Designated Critical Resource Waters. Critical resource waters include NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

GC 22. Not applicable.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, 52, 57 and 58 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

GC 22. (a). So stipulated.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed by permittees in the designated critical resource waters including

wetlands adjacent to those waters. The district engineer may authorize activities under these NWP's only after she or he determines that the impacts to the critical resource waters will be no more than minimal.

GC 22. (b). There are no designated critical resource waters on or near the project (Att. IV).

GC 23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require preconstruction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal and provides an activity-specific waiver of this requirement. For wetland losses of 0.1-acre or less that require preconstruction notification, the district engineer may determine on a case-by case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) Compensatory mitigation at a minimum one-for-one ratio will be required for all losses of stream bed that exceed 3/100-acre and require preconstruction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal and provides an activity-specific waiver of this requirement. This compensatory mitigation requirement may be satisfied through the restoration or enhancement of riparian areas next to streams in accordance with paragraph (e) of this general condition. For losses of stream bed of 3/100-acre or less that require preconstruction notification, the district engineer may determine on a case-by case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation since streams are difficult to- replace resources (see 33 CFR 332.3(e)(3)).

GC 23. (a – d). So stipulated.

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

GC 23. (f). So stipulated.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWP, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)).

GC 23. (f)(1 & 2). So stipulated.

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

GC 23. (f)(3 & 4). Not applicable.

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

GC 23. (f)(5). With submittal of this NWP 39 application, MG requests authorization for the following proposed permanent and unavoidable WOTUS impacts:

WOTUS Impact Location	Site Resource	Resource Type	Proposed WOTUS Impact (LF/SF/AC)	2018 Credits	Legacy Credits
Stream Culverting #1	UT 1	Intermittent Stream	421/2,079/0.047	315.75	2,273.40
		TOTAL	421/2,079/0.047	315.75	2,273.40

Compensatory stream mitigation will be required and Gaia used the USACE's [Savannah District's 2021 Standard Operating Procedure for Compensatory Mitigation](#)⁹ to calculate required mitigation credits. The above-referenced stream impact will require 2018 Credits (315.75) or Legacy Credits (2273.40) (Att. III – 2021 SOP Worksheets for Stream Impacts). A USACE Statement of Credit Availability (“SoCA”) will be forwarded for your review as soon as possible. There are no other impacts to WOTUS contemplated or required for completion of the expansion of the Metro Green Recycling facility located at 4303 Pleasantdale Road, Atlanta, Georgia.

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

GC 23. (f)(6). So stipulated.

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

GC 23. (g). So stipulated.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

GC 23. (h & i). Not applicable.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

GC 24. The project as proposed does not include new impoundment structures (Att. II – Sheet No. C1.0).

⁹ U.S. Army Corps of Engineers. [Savannah District's 2021 Standard Operating Procedure for Compensatory Mitigation](#). Version 2.0 (October 2021). Savannah, Georgia.

25. Water Quality. (a) Where the certifying authority (state, authorized tribe, or EPA, as appropriate) has not previously certified compliance of an NWP with CWA section 401, a CWA section 401 water quality certification for the proposed discharge must be obtained or waived (see 33 CFR 330.4(c)). If the permittee cannot comply with all of the conditions of a water quality certification previously issued by certifying authority for the issuance of the NWP, then the permittee must obtain a water quality certification or waiver for the proposed discharge in order for the activity to be authorized by an NWP.

(b) If the NWP activity requires preconstruction notification and the certifying authority has not previously certified compliance of an NWP with CWA section 401, the proposed discharge is not authorized by an NWP until water quality certification is obtained or waived. If the certifying authority issues a water quality certification for the proposed discharge, the permittee must submit a copy of the certification to the district engineer. The discharge is not authorized by an NWP until the district engineer has notified the permittee that the water quality certification requirement has been satisfied by the issuance of a water quality certification or a waiver.

GC 25. (a & b). So stipulated.

(c) The district engineer or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

GC 25. (c). By letter dated December 15, 2020, the Georgia Department of Natural Resources, EPD issued a conditional Water Quality Certification for use all of the NWPs in Georgia, pursuant to Section 401 of the Clean Water Act (Attachment III – GAEPD 401 Water Quality Certification Letter).

NWP GC 26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

GC 26. Not applicable.

NWP GC 27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

GC 27. So stipulated.

NWP GC 28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is authorized, subject to the following restrictions: **(a)** If only one of the NWPs used to authorize the single and complete project has a specified acreage limit, the acreage loss of waters of the United States cannot exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 13-acre.

(b) If one or more of the NWPs used to authorize the single and complete project has specified acreage limits, the acreage loss of waters of the United States authorized by those NWPs cannot exceed their respective specified acreage limits. For example, if a commercial development is constructed under NWP 39, and the single and complete project includes the filling of an upland ditch authorized by NWP 46, the maximum acreage loss of waters of the United States for the commercial development under NWP 39 cannot exceed 12-acre, and the total acreage loss of waters of United States due to the NWP 39 and 46 activities cannot exceed 1 acre.

GC 28. (a & b). So stipulated.

NWP GC 29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: “When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

GC 29. Should MG sell the property associated with the NWP authorization, MG will submit a letter to the USACE Savannah District - Piedmont Branch to validate the transfer.

NWP GC 30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits;

GC 30. (a & b). So stipulated.

(c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

GC 30. (c). Upon completion of WOTUS impacts, MG will provide the USACE Savannah District - Piedmont Branch with an executed Certification of Compliance as is required by the NWP Letter of Authorization issued by your office.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires review by, or permission from, the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a “USACE project”), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission and/or review is not authorized by an NWP until the appropriate Corps office issues the section 408 permission or completes its review to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

GC 31. Not applicable.

NWP GC 32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30-day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer;

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

GC 32. (a)(1 & 2). So stipulated.

(b) Contents of Pre-Construction Notification. The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

GC 32. (b)(1). **Mr. Mitchell D. Stephens, President**
Metro Green, LLC
4351 Pleasantdale Road
Atlanta, Georgia 30340
Cellular No: (770) 361-8258
E-Mail: mds@mitchelldstephens.com

(2) Location of the Proposed Activity;

GC 32. (b)(2). Please see Att. I - Figures 1 & 2 & Att. II – Boundary Survey for 4303 Pleasantdale Road.

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

GC 32. (b)(3). MG's intends to use NWP 39 – Commercial and Institutional Developments to authorize infrastructure expansion at the Metro Green Recycling facility located at 4303 Pleasantdale Road.

(4)(i) A description of the proposed activity; the activity’s purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures.

GC 32. (b)(4)(i). The project purpose is expansion of the MG Landfill facility (e.g., 8,000 SF building, attendant infrastructure, etc.) located at 4351 Pleasantdale Road, Atlanta, Georgia. Direct environmental impacts will consist of the installation of 421 linear feet (“LF”) of 30-inch reinforced concrete pipe (“RCP”) in UT 1 for the expansion of the MG Landfill facility (i.e., 8,000 SF building, attendant infrastructure, etc.); please note, this is an infrastructure improvement, not landfill expansion. There will be no indirect impacts to WOTUS because this project will impact an intermittent stream and thus will not disrupt necessary life cycle movements of aquatic species indigenous to the project area. Proposed pipework installation in WOTUS will generally be done following guidance provided by the Savannah District 2021 NWP Regional Conditions (“2021 NWP RCs”) and, more specifically, RC.A.1-5; RC.C.1-11.; RC.E.2-4 & 6; RC.F.1, and USACE Appendix B. Culvert Designs That Restrict Movement of Fish and Other Aquatics & GAEPD 401 Water Quality Certification (Att. III – GAEPD 2020 Water Quality Certification Letter).

Direct adverse environmental impacts necessary to complete expansion of the Metro Green Recycling facility include:

WOTUS Impact Location	Site Resource	Resource Type	Proposed WOTUS Impact (LF/SF/AC)	2018 Credits	Legacy Credits
Stream Culvert #1	UT 1	Intermittent Stream	421/2,079/0.047	315.75	2,273.40
TOTAL			421/2,079/0.047	315.75	2,273.40

The above-referenced stream impact will require 2018 Credits (315.75) and Legacy Credits (2273.40) (Att. III – 2021 SOP Worksheets for Stream Impacts). A USACE SoCA will be forwarded for your review as soon as possible. There are no other impacts to WOTUS contemplated or required for completion of the expansion of the Metro Green Recycling facility located at 4303 Pleasantdale Road, Atlanta, Georgia. Therefore, no other NWP(s), regional general permit(s), or individual permit(s) will be used to authorize any part of the proposed project or any related activity.

(ii) For linear projects where one or more single and complete crossings require pre-construction notification, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters (including those single and complete crossings authorized by an NWP but do not require PCNs). This information will be used by the district engineer to evaluate the cumulative adverse environmental effects of the proposed linear project and does not change those non-PCN NWP activities into NWP PCNs.

GC 32. (b)(4)(ii). Not applicable.

(iii) Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

GC 32. (b)(4)(iii). So stipulated.

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45-day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate.

GC 32. (b)(5).

On September 11 and 16, 2023, Gaia completed a WOTUS/WOTS field delineation at 4303 Pleasantdale Road property using base mapping information provided by THOMAS & HUTTON, Buford, Georgia. Gaia traversed the property to complete the delineation in accordance with the three-parameter approach (i.e., the positive identification of hydrophytic vegetation, hydric soils & wetland hydrology) specified in the USACE's Wetlands Delineation Manual¹⁰. Gaia also used updated guidance provided by the Regional Supplement to the USACE Wetland Delineation Manual: Eastern Mountains and Piedmont Region¹¹ and the USACE's Regulatory Guidance Letter No. 05-05¹² to complete the delineation. And Gaia also relied on guidance provided by the EPD's Field Guide for Determining the Presence of State Waters That Require a Buffer¹³ and the Methodology for Identification of Intermittent and Perennial Streams and their Origins¹⁴ to assist in the identification of WOTS (i.e., buffered¹⁵ features) on the property. Gaia also used the Guidance For Making Hydrologic Determinations¹⁶ to complete field activities.

On September 16, 2023, Gaia located by global positioning system ("GPS") the areal and linear extents of WOTUS/WOTS identified on, and/or near, the property and additional field information if available (e.g., IPFs, deltas, CMPs, RCPs, etc.). GPS data were collected using a mapping grade 2017 Trimble GeoExplorer Geo7X[®] and an external Zephyr Model 3[®] Rover antenna. GPS data were compiled in the 1984 World Geodetic System ("WGS84") using Terrasync[®] (v5.86) software. Data were post-processed on September 11 and 16, 2023, using GPS Pathfinder Office[®] (v5.85) and differentially corrected using the internet-based continuously operating reference station ("CORS"), EGPS BRASELTON (GABN), GEORGIA. GPS data were exported in 1983 U.S. State Plane Coordinate System using the Georgia West-1002 zone and 1983 NAD (Conus) CORS96 datum; GPS data are in survey feet. A compiled data set with a total of 33 GPS point features was converted to AutoCAD[®].dwg (v.2024) and Adobe[®].pdf (v.2024) file formats.

During conduct of the field delineation completed on September 11 and 16, 2023, Gaia identified one wetland ("Wetland A") and one unnamed tributary ("UT 1) on, or proximate to, the subject property (Att. I – Figure 6 & Att. III – Table 1). The entire property generally drains south via unnamed tributaries to the North Fork Peachtree Creek (Att. I – Figure 2).

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement

¹⁰ Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. U.S. Army Corps of Engineers. Washington, D.C.

¹¹ U.S. Army Corps of Engineers. 2012. Regional Supplement to the USACE Wetland Delineation Manual: Eastern Mountains and Piedmont Region. Version 2. ed. J.F. Berkowitz. J.S. Wakeley. R.W. Lichvar. C.V. Noble. ERDC/EL TR-12-9. Vicksburg, MS. U.S. Army Research and Development Center.

¹² U.S. Army Corps of Engineers. Regulatory Guidance Letter No. 05-05. Subject: Ordinary High Water Mark Identification. December 7, 2005.

¹³ Field Guide for Determining the Presence of State Waters That Require a Buffer. Georgia Environmental Protection Division Watershed Protection Branch NonPoint Source Program. Atlanta, Georgia. September 2017.

¹⁴ North Carolina Division of Water Quality. 2010. Methodology for Identification of Intermittent and Perennial Streams and their Origins, Version 4.11. North Carolina Department of Environment and Natural Resources. Division of Water Quality. Raleigh, NC.

¹⁵ Buffer means the area of land immediately adjacent to the banks of WOTS in its natural state of vegetation, which facilitates protection of water quality and aquatic habitat.

¹⁶ Guidance For Making Hydrologic Determinations, Version 1.5, April 2020. Tennessee Department of Environment and Conservation. Division of Water Pollution Control. Nashville, TN.

will be satisfied or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

32. (b)(6). Please refer to NWP GC 23. Mitigation for compensatory mitigation solution.

(7) For non-federal permittees, if any listed species (or species proposed for listing) or designated critical habitat (or critical habitat proposed for such designation) might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat (or critical habitat proposed for such designation), the PCN must include the name(s) of those endangered or threatened species (or species proposed for listing) that might be affected by the proposed activity or utilize the designated critical habitat (or critical habitat proposed for such designation) that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

GC 32. (b)(7). Please see NWP GC 18. Endangered Species for a protected species summary.

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

GC 32. (b)(8). Please see NWP GC 20. Historic Properties for a discussion about the cultural resources survey.

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the “study river” (see general condition 16);

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

GC 32. (b)(9 & 10). Not applicable.

(c) *Form of Pre-Construction Notification:* The nationwide permit pre-construction notification form (Form ENG 6082) should be used for NWP PCNs. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) **Agency Coordination:** (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity’s compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity’s adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) All NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iii) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal

or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each preconstruction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

GC 32. (c) & (d)(1 – 3). So stipulated.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

GC 32. (d)(4). Not applicable.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of preconstruction notifications to expedite agency coordination.

GC 32. (d)(5). So stipulated.

**FINAL REGIONAL CONDITIONS FOR 16 NATIONWIDE PERMITS IN
SAVANNAH DISTRICT (“SAS”)
Effective Date: March 15, 2021
Expiration Date: March 14, 2026**

1. The following regional conditions have been approved by the Division Engineer for the South Atlantic Division (SAD) for use in the Savannah District for the Nationwide Permits (NWPs) published in the January 13, 2021, Federal Register (86 FR 2744) announcing the reissuance of 12 existing (NWPs) and four new NWPs, as well as the reissuance of NWP general conditions and definitions with some modifications. These 16 NWPs will go into effect on March 15, 2021, and will expire on March 14, 2026:

- NWP 12 – Oil or Natural Gas Pipeline Activities
- NWP 21 – Surface Coal Mining Activities
- NWP 29 – Residential Developments
- NWP 39 – Commercial and Institutional Developments**
- NWP 40 – Agricultural Activities
- NWP 42 – Recreational Facilities
- NWP 43 – Stormwater Management Facilities
- NWP 44 – Mining Activities
- NWP 48 – Commercial Shellfish Mariculture Activities
- NWP 50 – Underground Coal Mining Activities
- NWP 51 – Land-Based Renewable Energy Generation Facilities
- NWP 52 – Water-Based Renewable Energy Generation Pilot Projects

- NWP 55 – Seaweed Mariculture Activities
- NWP 56 – Finfish Mariculture Activities
- NWP 57 – Electric Utility Line and Telecommunications Activities
- NWP 58 – Utility Line Activities for Water and Other Substances

2. These regional conditions (RCs) will provide additional protection for the aquatic environment and will help ensure that the NWPs authorize only those activities with no more than minimal adverse environmental effects.
3. These regional conditions are not applicable to the remaining 40 existing NWPs (NWP 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 45, 46, 49, 53, and 54 (at this time, NWPs 26 and 47 are reserved)) that were not reissued or modified by the January 13, 2021, final rule. Any proposed regional conditions that would have applied to these 40 NWPs are indicated as “<<reserved>>” below and will be included in a revised regional condition document when reissued. These 40 NWPs were published in the January 6, 2017, issue of the Federal Register (82 FR 1860) and these NWPs remain in effect until the Corps issues a final rule reissuing those NWPs or March 18, 2022, whichever comes first. The regional conditions for these 40 NWPs that were approved by the Division Engineer in 2017 remain in effect while these 2017 NWPs remain in effect.
4. As specified, under NWP General Condition 27, Regional and Case-By-Case Conditions: The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its Section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.
5. Note: The acronym “PCN” used throughout this document refers to *Pre-Construction Notification* as further defined in NWP General Condition 32.

B. EXCLUDED WATERS AND/OR AREAS

1. Use of NWPs 12, 43, 44, 57 and 58 is prohibited for any project in waters of the U.S. that support anadromous fish, or in those waters that previously supported such fish and where restoration of fish migrations and populations is possible. The established limits for these waters are listed in the attached Appendix A and include adjacent and tributary waters located within 1,000 feet of these identified waters. This prohibition does not apply to NWP 12, 57 and 58 projects that would not involve a discharge of dredged or fill material or mechanized land clearing in waters (i.e., directional bore line installation and overhead utility crossings). A waiver from this condition will be considered on a case-by-case basis, in coordination with the National Marine Fisheries Service. A waiver may be granted when it is determined that the project would have minimal impact on anadromous fish or their restoration.

RC B. 1. So stipulated.

C. REGIONAL CONDITIONS APPLICABLE TO ALL 16 NWPs

1. A PCN is required for all uses of NWPs within 2,000 feet of an approved mitigation bank. Locations of approved mitigation banks in Georgia can be found at the following link: <https://data.georgiaspatial.org / index .asp? body =search&county=&keyword=mitigation&startdate=1950&enddate=2020&format=&submit=Run+Search>.
2. A PCN is required for use of any NWP that results in temporary and/or permanent adverse effects to 0.1 acre or more of wetlands, other special aquatic sites, and other waters (such as lakes and ponds), or 0.01 acre of stream.
3. A compensatory mitigation plan is required for NWP projects that result in an adverse effect to 0.1 acre or more of wetlands and/or 0.01 acre or more of stream that results in a loss in aquatic function. For a total linear project, if the sum of the adverse effects from all individual single and complete projects meets or exceeds 0.1 acre of wetland and/or 0.01 acre of stream, mitigation is required for all adverse effects that would result from construction of the total linear project.

4. The preferred form of compensatory mitigation for NWP authorized projects is the purchase of stream and/or wetland credits from a Corps' approved commercial mitigation bank. The mitigation bank(s) proposed for an NWP authorized project must comply with Savannah District's most recent credit purchase guidance. Credits purchased prior to Corps approval may not be accepted. The most recent credit purchase guidance can be found at the following link: <https://www.sas.usace.army.mil/Missions/Regulatory/Mitigation/>.
5. The amount and type of compensatory mitigation proposed for NWP authorized projects must comply with General Condition 23 (Mitigation) of the NWP Program; Savannah District's most recent guidance on compensatory mitigation requirements; and the 2008 Final Compensatory Mitigation Rule (33 CFR Parts 325 and 332). The most recent guidance on compensatory mitigation requirements can be found at the following link: <https://www.sas.usace.army.mil/Missions/Regulatory/Mitigation/>.
6. All impacts to wetlands must be calculated and reported in acres. Stream impacts must be calculated separately and reported in both linear feet and acres.
7. Use of these NWPs is limited to the permanent loss of no more than 0.05 acre of stream per single and complete project.
8. NWPs cannot be used to authorize projects that would impact compensatory mitigation sites or an approved compensatory mitigation bank unless that project's purpose is to enhance the mitigation site or bank. A Department of the Army standard permit application is required for these projects.
9. NWPs cannot be used to authorize a new stormwater treatment facility in a perennial stream. A Department of the Army standard permit application is required for these projects.
10. Temporary diversion methods will be used to install structures in perennial streams. These methods shall not result in the dewatering of the downstream reach of the stream. In addition, the temporary diversion method shall be designed to ensure aquatic life passage to the maximum extent practicable. The affected reach of the stream channel shall be returned to preexisting contours following the removal of the temporary diversion structure. The PCN must include a restoration plan showing how all temporary fills and structures will be removed and the area be restored to pre-project conditions.
11. For all proposed activities that would be located in or adjacent to an authorized Federal Navigation project, the PCN must include project drawings that have the following information: a) location of the edges of the Federal channel; b) the distance from waterward edge of the proposed structure or fill to the nearest edge of the channel and the Mean High and Mean Low water lines; and c) coordinates of both ends of the waterward edge of the proposed structure or fill (NAD 83 State Plane Coordinates in decimal degrees). This requirement is in addition to NWP General Condition 31, Activities Affecting Structures or Works Built by the United States, and General Condition 32, Pre-Construction Notification. Locations of the Federal projects are located on the Corps Mapviewer found at the following link: <https://geospatialusace.opendata.arcgis.com/>.

RC C. 1. – 11. So stipulated.

D. REGIONAL CONDITIONS APPLICABLE TO SPECIFIC NWPs

1. A PCN is required for all uses of NWP 48.
2. <<reserved>>
3. <<Reserved>>
4. <<reserved>>

5. <<reserved>>

6. NWP 12. The riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

7. NWP 12. Associated intake structures must employ the best practicable means to minimize entrainment or impingement of fish and other aquatic life, and the inflow velocity of intake structures is limited to not more than 0.5 feet per second.

8. <<reserved>>

9. <<reserved>>

10. <<reserved>>

11. <<reserved>>

12. <<reserved>>

13. <<reserved>>

14. NWP 57. The riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

15. NWP 57. Associated intake structures must employ the best practicable means to minimize entrainment or impingement of fish and other aquatic life, and the inflow velocity of intake structures is limited to not more than 0.5 feet per second.

16. NWP 58. The riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

17. NWP 58. Associated intake structures must employ the best practicable means to minimize entrainment or impingement of fish and other aquatic life, and the inflow velocity of intake structures is limited to not more than 0.5 feet per second.

RC D. 1 – 17. Not applicable.

E. ACTIVITY SPECIFIC REGIONAL CONDITIONS

1. A PCN for a project that includes the construction of a stormwater treatment facility in waters of the U.S. must also include the following information:

a. A clear statement of the basic (primary) purpose of the stormwater treatment facility.

b. An alternatives analysis must demonstrate that all other available stormwater treatment controls will be implemented and that a treatment facility in waters of the U.S. is the only available practicable alternative that would meet the basic project purpose. This analysis shall also include all project site specific factors that may render other stormwater detention/retention measures impractical.

c. NWPs cannot be used to authorize a new stormwater treatment facility in a perennial stream. A Department of the Army standard permit application is required for these projects.

2. In cases where a proposed project cannot be constructed as required by a RC, there may be an acceptable alternative construction technique that could be used to ensure impacts to aquatic resources remain minimal. In cases where use of an alternative technique is requested, the PCN must include the following information:

a. A detailed discussion of why the activity-specific RC cannot be met.

b. Adequate scientific or engineering information necessary to document that the proposed alternative construction technique would achieve equal or better aquatic resource impact avoidance as the RC. Based on information provided in the PCN, the Corps will determine whether or not the project would comply with the RC.

3. Installation of New or Replacement Culverts in Perennial Streams:

a. Bottomless or Arch-Span Culverts: If there are any impacts to aquatic resources, the overall width of a bottomless or arch-span culvert shall be approximately equal to, but not narrower than, the typical bankfull width of the stream channel. Additional pipes or culverts may be used to receive flows exceeding bankfull, but the inlet(s) shall be baffled to or sit at the stream's bankfull elevation.

b. Box Culverts: The overall width of a single or multi-barrel box culvert shall be approximately equal to, but not narrower than, the typical bankfull width of the stream channel. Additional pipes or culverts may be used to receive flows exceeding bankfull, but the inlet(s) shall be baffled to or sit at the stream's bankfull elevation.

c. Circular Pipes/Culverts: The overall width of a circular pipe/culvert shall be approximately equal to, but not narrower than, the typical bankfull width of the stream channel. Multiple circular pipes/culverts may not be used to accommodate flows at bankfull width except in scenarios where a culvert replacement would result in additional impacts to waters. Additional circular pipes/culverts may be used to receive flows exceeding bankfull but shall sit at the stream's bankfull elevation.

d. Culverts shall be of adequate size to accommodate flows exceeding bankfull in a manner that does not cause flooding of associated uplands or disruption of hydrologic characteristics that support aquatic sites on either side of the culvert. This may be accomplished by installation of equalizer culverts in the floodplain.

e. Unless specifically described in the PCN, use of undersized culverts to detain stormwater or for pollutant treatment is not authorized.

f. Culvert Embedding: The upstream and downstream invert of culverts (except bottomless or arch-span culverts) shall be buried/embedded to a depth of 20% of the culvert height to allow natural substrate to colonize the structure's bottom and encourage fish movement. Additional culverts used to receive flows exceeding bankfull are not required to be embedded.

g. Culvert Slope: The culvert slope shall be set within 25% of the streambed slope (e.g., if streambed slope is 2%, the designed slope of the culvert shall be between 1.5% and 2.5%). In situations where culvert slope exceeds 4%, interior baffles on the bottom of the culvert or other measures shall be used to allow for sediment colonization and/or velocity attenuation.

h. See Appendix B for additional culvert design information.

i. All PCNs shall provide the following information: (NOTE: See above RCs and Appendix B for additional culvert design information.).

(i) Plan view diagram of the existing and proposed conditions. The diagram shall depict the existing stream channel and direction of flow; proposed culvert information, including alignment, type and size, channel excavation (i.e., constructed channel between the existing stream channel and proposed culvert), and outlet protection; the

proposed roadway; areas of cut and fill; and locations of cross-sections. The diagram shall include a scale and a north arrow.

(ii) Longitudinal profile diagram of the existing stream channel beginning approximately 100 feet upstream of the proposed culvert inlet and continuing approximately 100 feet downstream of the proposed culvert outlet. The diagram shall depict the elevations of the existing streambed (along the thalweg), as well as locations of the proposed culvert inlet and outlet. Longitudinal profile measurements shall begin, if possible, at the head of a riffle and end at the head of a riffle. The change in elevation from head of riffle to head of riffle may be used to calculate streambed slope. For sand-bed dominated streams that are void of riffle features, the heads of ripples may be used as a substitute. The diagram shall note the streambed slope.

(iii) Longitudinal profile diagram of the proposed culvert, including the proposed culvert slope, type and size, invert elevations, and embedded depth; elevation of the existing streambed (along the thalweg); and locations of channel excavation (i.e., constructed channel between the existing stream channel and proposed culvert), headwalls, outlet protection, and energy dissipaters, as applicable.

(iv) At least one representative cross-section diagram of the existing stream channel. If the stream channel exhibits notable variation in width and/or maximum depth within the project area, multiple cross-sections shall be collected. Cross-section(s) shall be measured, if possible, at a stable riffle or ripple that is representative of the project reach and located within and/or directly adjacent to the project area. For culvert replacements, cross-sections shall be measured away from the influence of the existing culvert (usually 100 feet upstream and/or 100 feet downstream). The cross-section(s) shall depict the elevations of the stream channel bed and banks, bankfull, and flood prone area (i.e., 2x the maximum bankfull depth). The diagram shall note bankfull width and bankfull cross-sectional area. The X and Y axis must be at the same scale.

(v) Cross-sectional diagrams of the proposed culvert inlet and outlet, including location of the culvert in the stream channel; culvert type and size; proposed road surface and areas of cut and fill; and elevations of the culvert invert and stream bottom and stream channel bed and banks, bankfull, and flood prone area (i.e., 2x the maximum bankfull depth). The diagram shall note the proposed bankfull cross-sectional area. The X and Y axis must be at the same scale.

4. Installation of Culvert Extensions in Perennial Streams:

- a. Existing conditions of box and circular pipe culverts and any proposed extension thereof shall be assessed to determine if aquatic life passage is accommodated (e.g., perched culvert inlet or outlet). Justification shall be provided for any culvert that will be extended instead of replaced that does not accommodate aquatic life passage.
- b. Proposed culvert extensions shall be assessed to determine whether baffles or other measures may be used to improve conditions for aquatic life passage. Documentation shall be provided on whether measures to improve aquatic connectivity are practicable. When practicable, these measures shall be implemented.

5. Construction of Utility Lines:

- a. Wetland/stream crossings must be located and aligned to minimize the length of crossings, and/or to minimize impacts to wetlands/streams.
- b. For buried utility lines subject to Federal Energy Regulatory Commission (FERC) standards, the right-of-way corridor (i.e., impact area) cannot exceed the width as required by FERC standards. For all other buried utility lines, the width of the right-of-way corridor (i.e., impact area) cannot exceed 50 feet in wetlands.
- c. Construction of individual pump stations that are associated with utility lines are limited to 0.1 acre of wetland impact; substations cannot be constructed within the banks of a stream.

d. Excavated material that is temporarily side-cast in waters of the U.S. shall be returned to the trench or removed within 60 days, unless a 30-day extension is requested and approved by the Corps.

e. Anti-seep collars, or other structures designed to prevent under-draining, will be installed on all buried utility lines in wetlands. If no anti-seep/drain device(s) is proposed, the applicant must provide information documenting why such a device is not required to prevent wetland drainage.

f. A PCN for a new utility line project or new linear transportation project must include the following information:

(i) A map depicting all waters of the U.S. located within the right-of-way of the total linear project. (NOTE: The term total linear project is discussed in the NWP definition of “single and complete linear project.”)

(ii) A map depicting the location of each “single and complete linear project” and all other work occurring in waters of the U.S. within the right-of-way for the total linear project. This map shall clearly identify the type of work that would occur in waters of the U.S., including access roads and substations.

(iii) A description of all work and resulting losses of and adverse effects to waters of the U.S.

6. Construction of Road Crossings:

a. An individual road crossing must begin on an existing natural high ground area (upland) and end on existing natural high ground.

b. Road-side ditches and medians associated with construction of an overall linear transportation project must be designed to prevent drainage of wetlands and finished road elevations cannot be lower than surrounding wetlands.

RC E.1 - E. 6. Not applicable because UT 1 is an intermittent stream.

F. SECTION 401 WATER QUALITY CERTIFICATION (WQC) AND/OR COASTAL ZONE MANAGEMENT ACT (CZMA) CONSISTENCY DETERMINATION SUMMARY AND APPLICABLE CONDITIONS

The State of Georgia Department of Natural Resources, Environmental Protection Division (“EPD”) has issued a Section 401 Water Quality Certification (“WQC”), which is subject to the following terms and conditions (see Appendix C – 401 Water Quality Certification):

1. To assure compliance with State water quality standards, the relevant Nationwide Permit applicant shall conduct all activities in a manner that will assure water quality adequate or necessary to protect and maintain designated uses. 33 U.S.C. § 313(a)-(d); O.C.G.A. § 12-5-23(c)(2),(6),(9),(15); Ga. Comp. R. and Regs. 391-3-6-.03(2)(i), (ii).

a. To prevent or avoid degradation of water quality downstream, the relevant Nationwide Permit applicant shall install in-water Best Management Practices (BMPs) to the extent practical and feasible, to minimize total suspended solids (TSS) and sedimentation for any work conducted within a state water or within the delineated boundaries of wetlands. 33 U.S.C. § 1313(a)-(d); § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); O.C.G.A. §§ 12-7-6 to 7; Ga. Comp. R. and Regs. 391-3-6-.03(5).

b. In order to prevent or avoid violations of state water quality standards, the relevant Nationwide Permit applicant must ensure that any fill placed in state waters must be clean fill that is free of solid waste, toxic, or hazardous contaminants. 33 U.S.C. §§ 1311 and 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); Ga. Comp. R. and Regs. 391-3-6-.03(5), (6), (11), (14)-(16).

2. To ensure that other pertinent and appropriate State permissions are obtained, for bank stabilization projects conducted under NWP 13 or NWP 54, particularly those that involve work in state buffers, Nationwide Permit applicants should consult Georgia EPD's Streambank and Shoreline Stabilization Guidance, available at

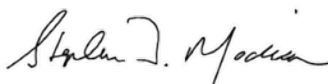
<https://epd.georgia.gov/watershed-protection-branch/erosion-and-sedimentation> and, as necessary, apply for and abide by the terms of any applicable Georgia stream buffer variance. 33 U.S.C. §§ 1311 and 1313(a)-(d); O.C.G.A. § 12-7-6; Ga. Comp. R. and Regs. 391-3-7-.05

CZMA: Georgia Department of Natural Resources, Coastal Resources Division did not concur with the District's CZMA consistency determination for all activities under all NWP's in tidally influenced waters within the 11-county coastal zone (See Appendix D). Consequently, prospective permittees must obtain an individual CZM consistency concurrence prior to commencement of the activity authorized by the NWP within tidally influenced areas in the following counties: Chatham, Effingham, Bryan, Liberty, Long, McIntosh, Glynn, Wayne, Brantley, Camden and Charlton Counties.

RC F. 1 & 2. So stipulated.

I trust the requisite information has been provided for your review and to consider this application complete. Should you require additional information to augment this submittal please contact me at your earliest convenience at either (404) 992-3573 or Stephen@GaiaEnvironmental.Co. On behalf of **Metro Green, LLC**, Gaia Environmental Consulting, LLC appreciates your assistance with this NWP application.

Respectfully submitted,



Stephen F. Modica, SPWS
Principal



SFM:sfm

- attachments: Attachment I – Figures for 4303 Pleasantdale Road
Attachment II – Construction Documents for 4303 Pleasantdale Road
Attachment III – USACE Documentation for 4303 Pleasantdale Road
Attachment IV – USFWS Official Species List for 4303 Pleasantdale Road
Attachment V – Historic Properties Information for 4303 Pleasantdale Road

- ec: Mr. Mitchell Stephens, Metro Green, LLC, Atlanta, GA
Mr. Kyle Bowen, THOMAS & HUTTON, Buford, GA
Mr. Reed Parker, THOMAS & HUTTON, Buford, GA

ATTACHMENTS

ATTACHMENT I

Figures

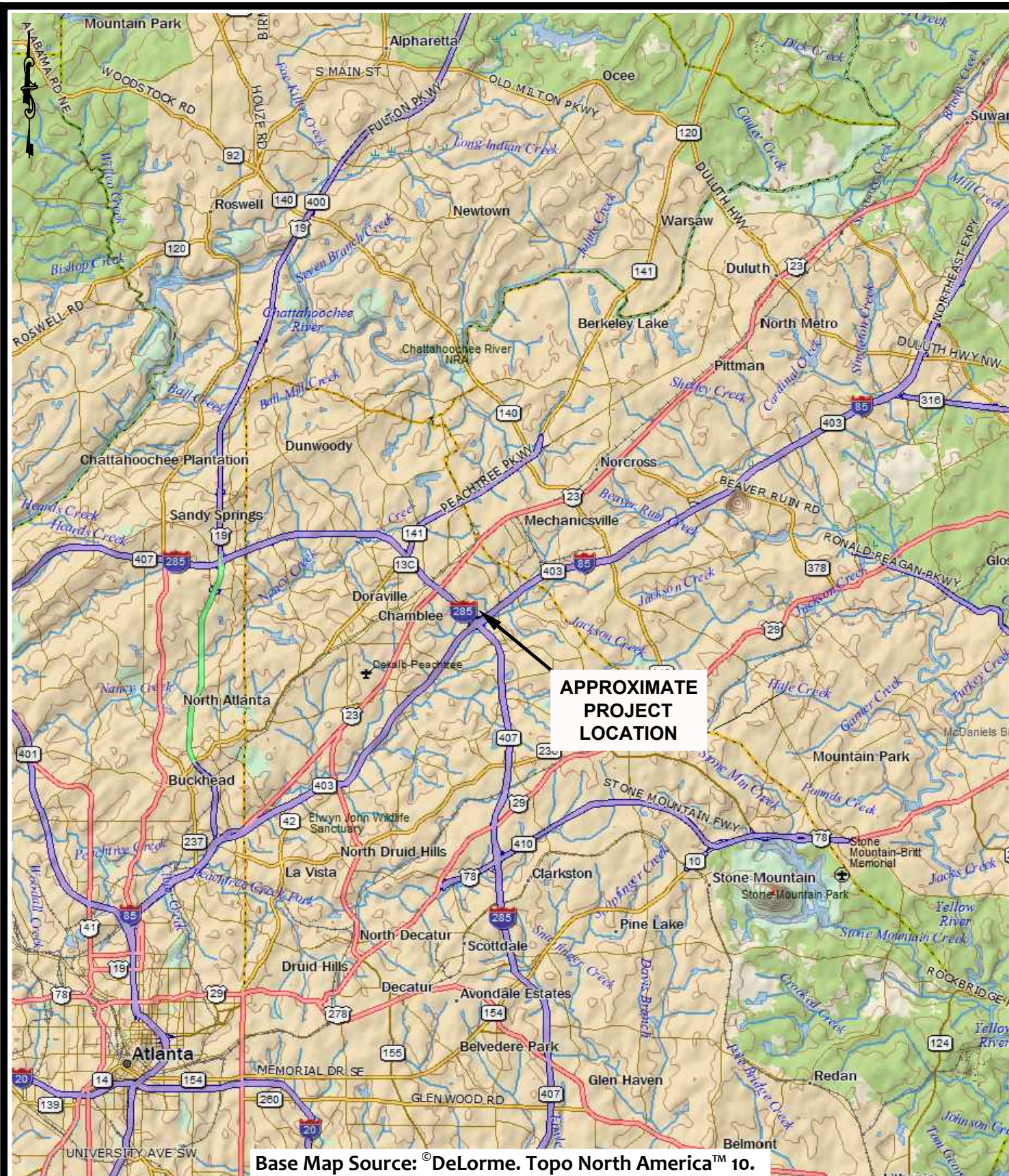


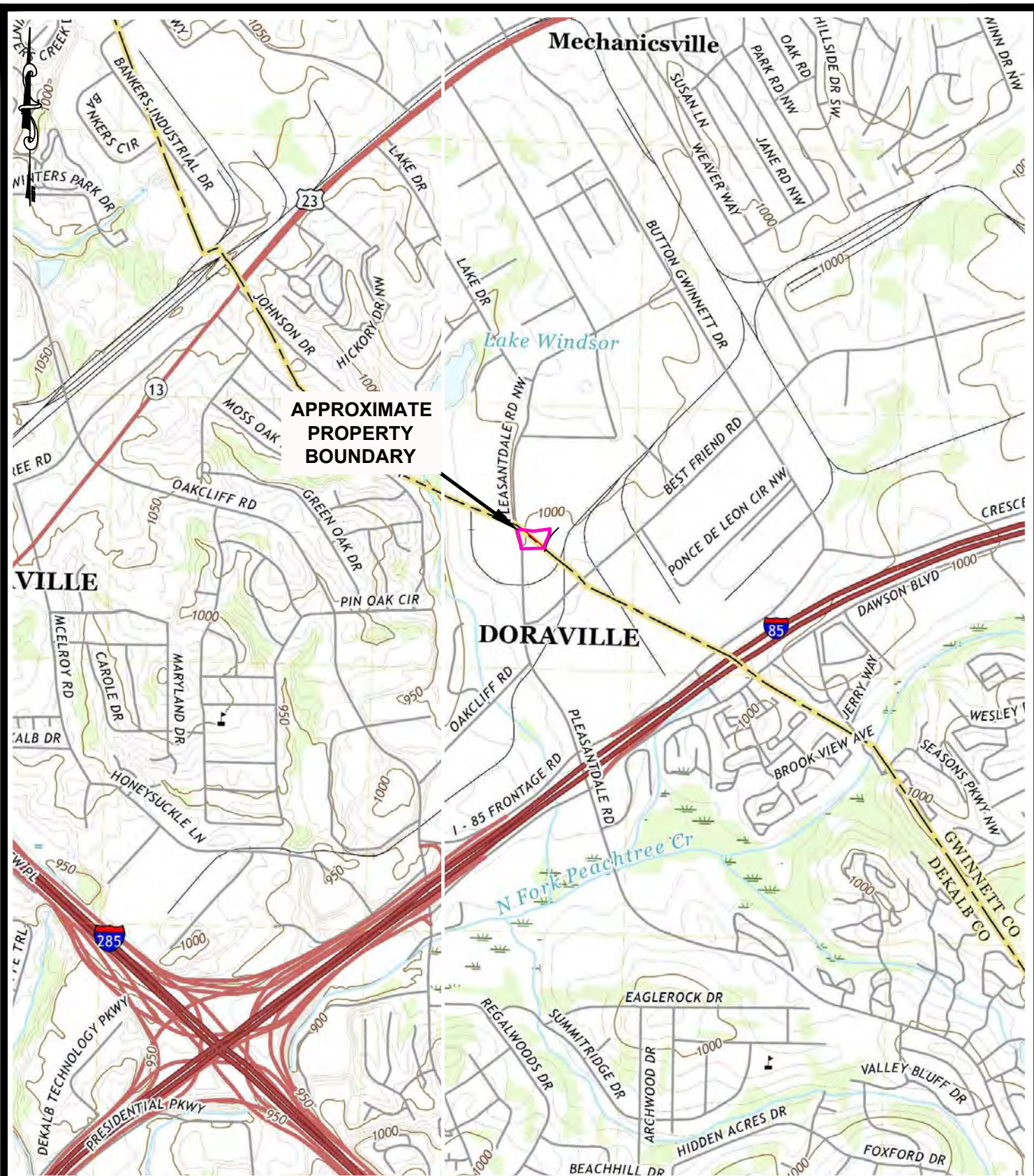
FIGURE 1 - SITE LOCATION MAP

4303 PLEASANTDALE ROAD

Land Lot 318 of the 18th, District Dekalb County, GA
 Land Lot 220 of the 6th District, Gwinnett County, GA
 Gaia Project No. 2024-13



109 Birchwood Pass, Canton, Georgia
 30114-7752



Base Map Source: United States Geological Survey 7.5-Minute Series (Topographic) Quadrangle Maps of Chamblee & Norcross, GA. 2020.

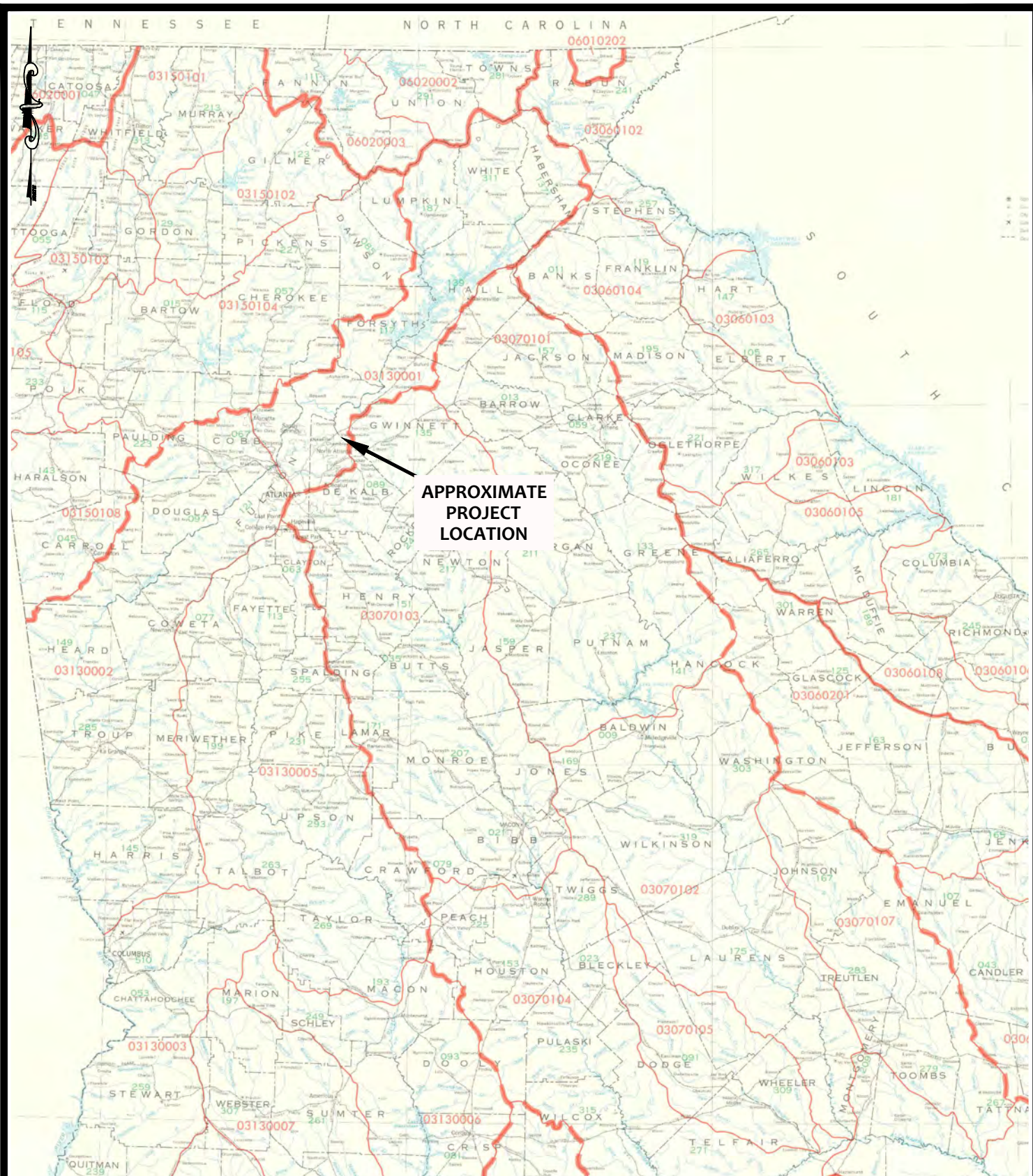
**FIGURE 2 - USGS QUADRANGLE & STREET MAP
4303 PLEASANTDALE ROAD**

Land Lot 318 of the 18th, DeKalb County, GA
 Land Lot 220 of the 6th District, Gwinnett County, GA
 Gaia Project No. 2024-13

Scale: N.T.S.



109 Birchwood Pass, Canton, Georgia
 30114-7752



Base Map Source: State of Georgia Hydrologic Unit Map - 1974. United States Geological Survey. Reston, VA. 1988.

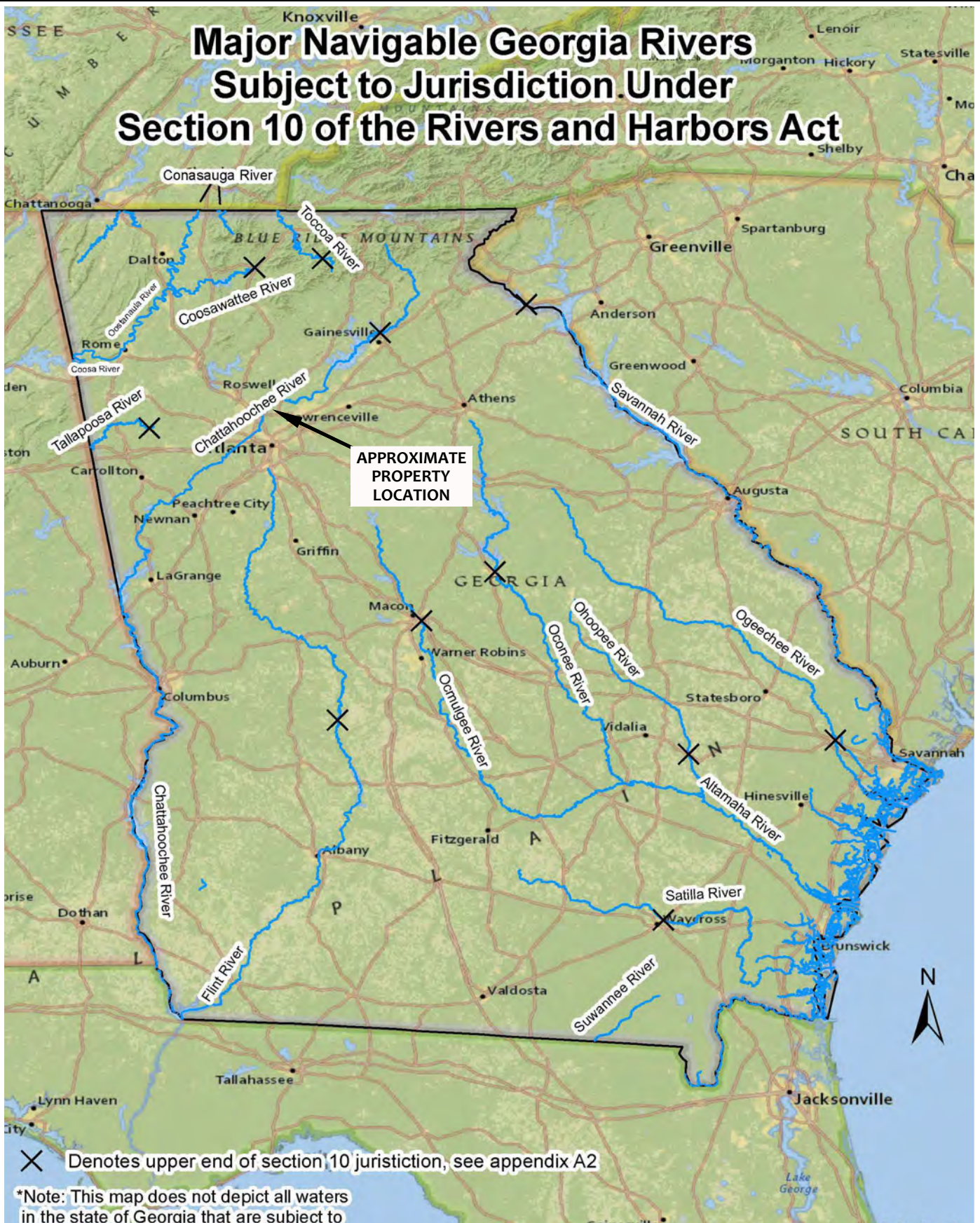
**FIGURE 3 - HYDROLOGIC UNIT CODE MAP for
4303 PLEASANTDALE ROAD**
Land Lot 318 of the 18th District, DeKalb County, GA
Land Lot 220 of the 6th District, Gwinnett County, GA
Gaia Project No. 2024-13

Scale: N.T.S.



109 Birchwood Pass, Canton, Georgia
30114-7752

Major Navigable Georgia Rivers Subject to Jurisdiction Under Section 10 of the Rivers and Harbors Act



BASE MAP SOURCE: National Geographic, Esri, DeLorme, NAVTEQ, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, IPC.

FIGURE 4 - MAJOR NAVIGABLE GEORGIA RIVERS
4303 PLEASANTDALE ROAD
 Land Lot 318 of the 18th District, DeKalb County, GA
 Land Lot 220 of the 6th District, Gwinnett County, GA
 Gaia Project No. 2024-13

N.T.S.



109 Birchwood Pass, Canton, Georgia 30114-7752

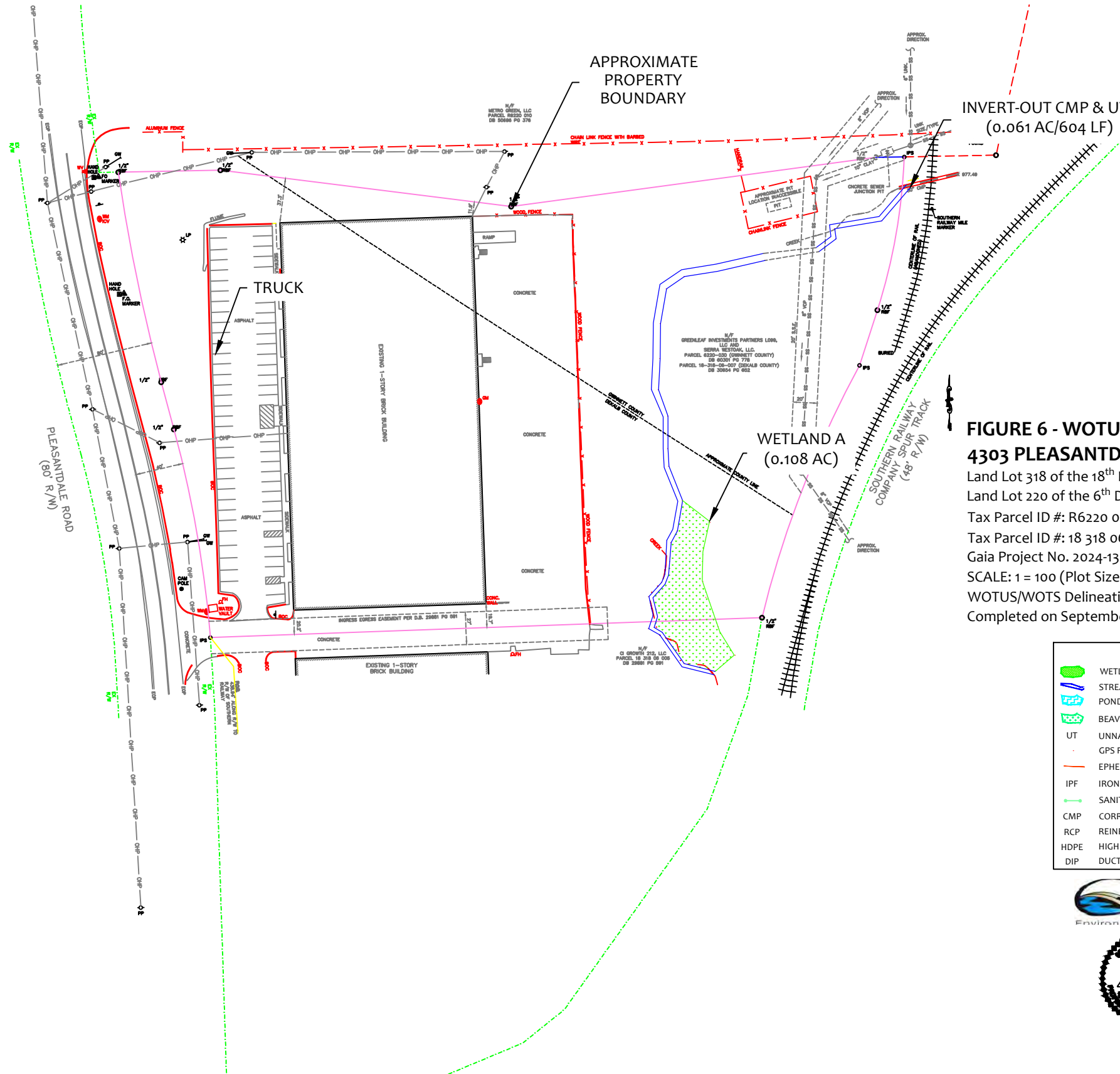


FIGURE 6 - WOTUS/WOTS & BOUNDARY MAP for 4303 PLEASANTDALE ROAD

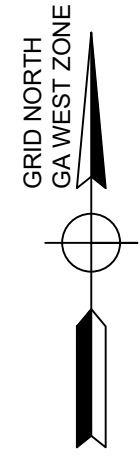
Land Lot 318 of the 18th Dekalb County, Georgia
 Land Lot 220 of the 6th District, Gwinnett County, Georgia
 Tax Parcel ID #: R6220 030 (DeKalb County)
 Tax Parcel ID #: 18 318 06 007 (Gwinnett County)
 Gaia Project No. 2024-13
 SCALE: 1 = 100 (Plot Size: 17.00x11.00-Inches)
 WOTUS/WOTS Delineation and Global Positioning System Location
 Completed on September 11 & 16, 2023.

LEGEND	
	WETLAND - OHWM
	STREAM - OHWM
	POND - OHWM
	BEAVER POND - OHWM
	UT UNNAMED TRIBUTARY
	GPS POINT FEATURE
	EPHEMERAL FEATURE
	IPF IRON PIN FOUND
	SANITARY SEWER LINE
	CMP CORRUGATED METAL PIPE
	RCP REINFORCED CONCRETE PIPE
	HDPE HIGH DENSITY POLYETHYLENE PIPE
	DIP DUCTILE IRON PIPE



ATTACHMENT II

Construction Documents for 4303 Pleasantdale Road



THIS SPACE RESERVED FOR THE CLERK OF SUPERIOR COURT

NOTES:

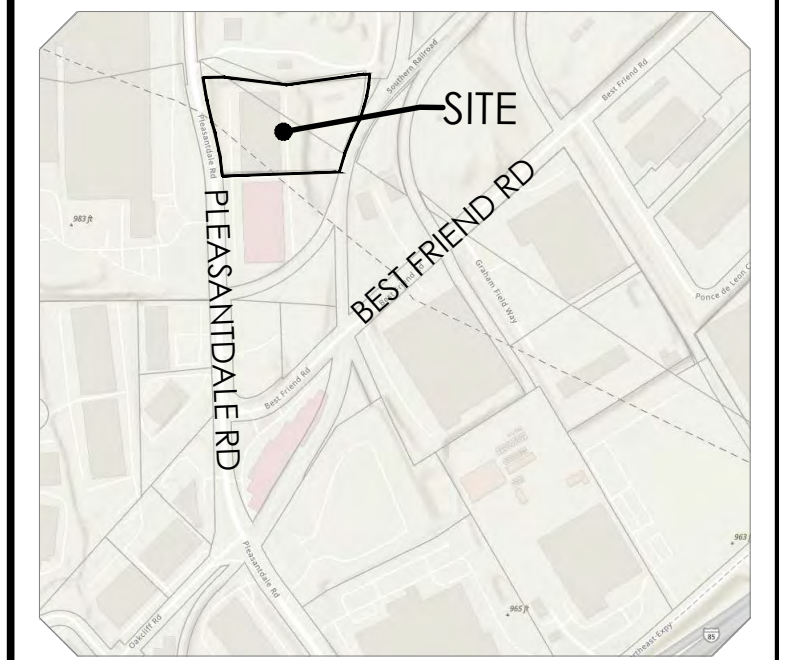
- OFFICIAL GWINNETT COUNTY FLOOD HAZARD MAP COMMUNITY NUMBER 13135C0096F DATED 02/22/2006 SHOWS NO PORTION OF THIS PROPERTY TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARD (ZONE A).
OFFICIAL DEKALB COUNTY FLOOD HAZARD MAP COMMUNITY NUMBER 13089C0040L DATED 08/15/2019 SHOWS NO PORTION OF THIS PROPERTY TO BE IN AN AREA HAVING A SPECIAL FLOOD HAZARD (ZONE A)
- DATE OF FIELD SURVEY 01/04/24.
- TAX MAP NUMBER: R6220 030 (DEKALB COUNTY)
18 318 04 007 (GWINNETT COUNTY)
PROPERTY OWNER: GREENLEAF INVESTMENT PARTNERS, L099 LLC AND SIERRA WESTOAK, LLC.
DEED REFERENCE: DEED BOOK 3396, PAGE 120
- THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE, WHERE A CONFLICT EXISTS BETWEEN THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND O.C.G.A. 15-6-67, THE REQUIREMENTS OF LAW PREVAIL.

REFERENCES:

- QUIT CLAIM IN FAVOR OF PAUL GREENLEAF INVESTMENT PARTNERS L099, LLC AND SIERRA WESTOAK, L.L.C., DATED NOVEMBER 4, 2022, FILED NOVEMBER 11, 2022 AND RECORDED IN DEED BOOK 30654, PAGE 652, RECORDS OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA.

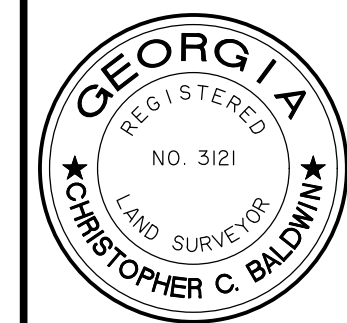
LEGEND

- ⊙ BENCHMARK
- ⊕ CABLE BOX
- CLEAN OUT
- CONC. MONUMENT FOUND
- CONC. MONUMENT SET
- △ CONTROL POINT
- ⊞ ELECTRIC BOX
- ⊞ ELECTRIC METER
- ⊞ ELECTRIC MANHOLE
- ⊞ FIRE HYDRANT
- ⊞ GRATE INLET
- ⊞ GAS METER
- ⊞ GUY POLE
- ⊞ GUY WIRE
- ⊞ GAS VALVE
- ⊞ IRON PIN (SIZE & TYPE)
- ⊞ LIGHT POLE
- ⊞ MAIL BOX
- ⊞ POINT (NO MONUMENT)
- ⊞ POWER POLE
- ⊞ SIGN
- ⊞ SANITARY MANHOLE
- ⊞ TELEPHONE BOX
- ⊞ TELEPHONE MANHOLE
- ⊞ WATER METER
- ⊞ WATER MANHOLE
- ⊞ WATER VALVE
- ⊞ WATER VALVE MARKER
- ⊞ RBF REBAR FOUND



VICINITY MAP not to scale

This document and all reproducible copies of this document are the property of Thomas & Hutton. Reproduction of this document is not permitted without written consent of Thomas & Hutton unless this document becomes a matter of public record. ALTERATIONS TO THIS DOCUMENT ARE NOT PERMITTED.



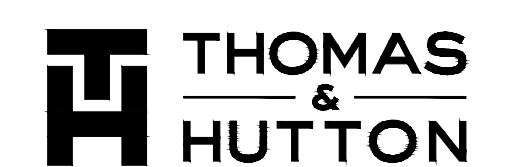
CHRISTOPHER C. BALDWIN
NO. 3121
LAND SURVEYOR
R/S #3121 / L/SF #145
balwin.c@tandh.com

THIS PLAT IS REITRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

BOUNDARY SURVEY
4303 PLEASANTDALE ROAD
LAND LOT 318
18TH DISTRICT
DEKALB COUNTY, GA
LAND LOT 220
6TH DISTRICT
GWINNETT COUNTY, GA

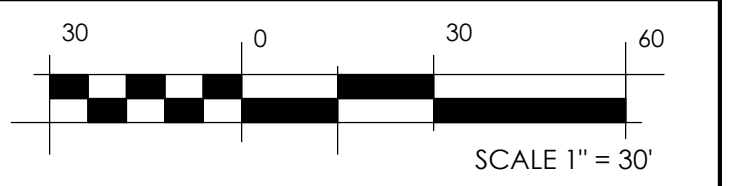
prepared for
MITCHELL STEPHENS

No.	Revision	By	Date



5074 Bristol Industrial Way • Suite A
Buford, GA 30518 • 770-271-2868

www.thomasandhutton.com



plat	drawn	reviewed	field	crew
01/16/24	MJH	CCB	01/04/24	DK



Know what's Below.
Call before you dig.

CURVE	RADIUS	LENGTH	CHORD	CHD BEARING	DELTA
C1	992.50'	175.79'	175.56'	N 09°56'09" W	10°08'53"
C2	1615.05'	178.05'	177.96'	N 11°33'29" W	6°19'00"
C3	475.30'	129.55'	129.15'	S 09°55'22" W	15°37'01"
C4	869.44'	225.26'	224.63'	S 21°10'12" W	14°50'41"

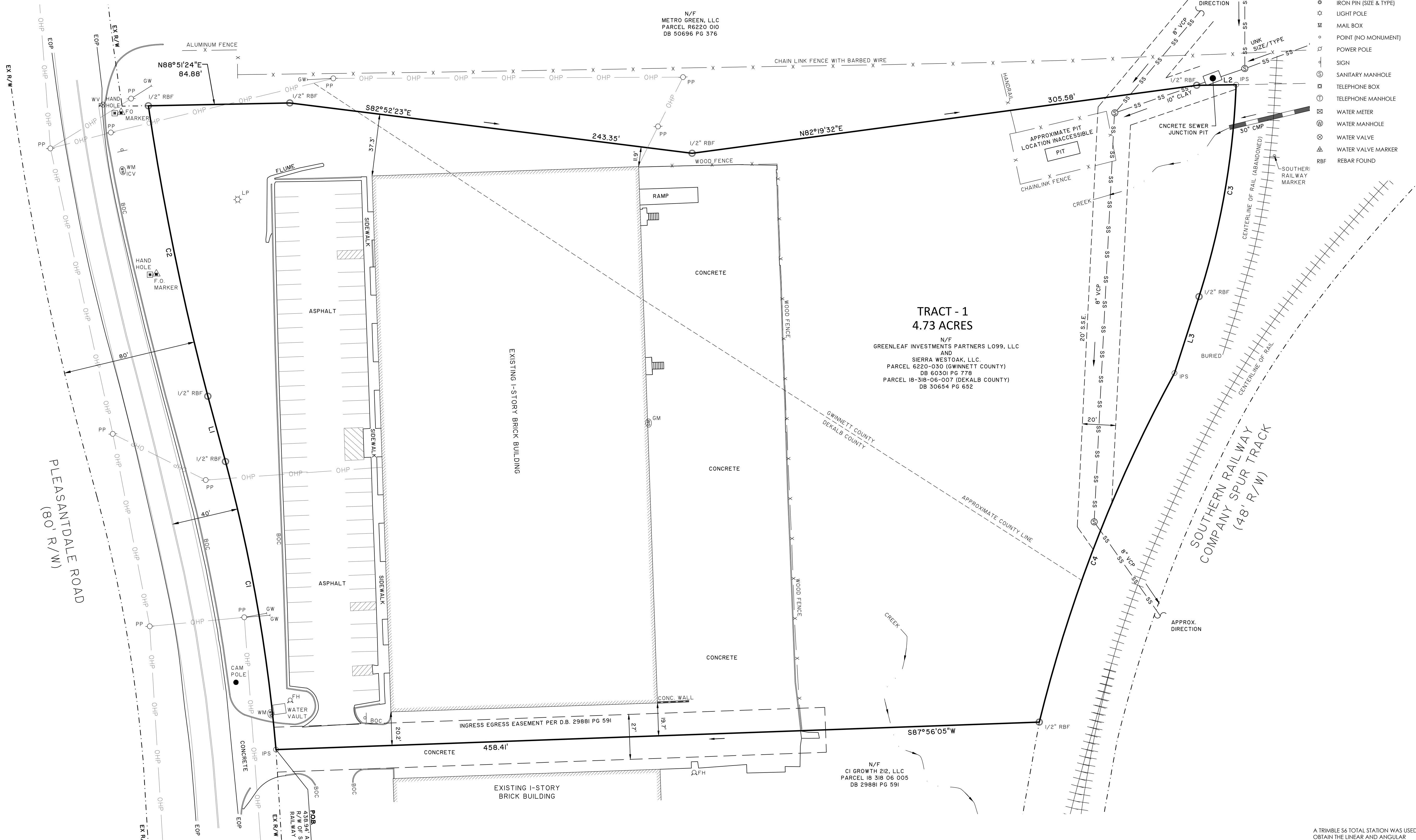
LINE	BEARING	DISTANCE
L1	N 15°11'25" W	40.57'
L2	N 89°09'11" E	23.68'
L3	S 17°51'41" W	48.20'

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. PER GEORGIA LAW, THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

A TRIMBLE S6 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 31,415 FEET AND AN ANGULAR ERROR OF 01" PER POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 31,303 FEET.



TRACT - 1
4.73 ACRES

N/F
GREENLEAF INVESTMENTS PARTNERS L099, LLC AND SIERRA WESTOAK, L.L.C.
PARCEL 6220-030 (GWINNETT COUNTY)
DB 60301 PG 778
PARCEL 18-318-06-007 (DEKALB COUNTY)
DB 30654 PG 652

N/F
C1 6R0WTH 212, LLC
PARCEL 18 318 06 005
DB 29881 PG 591

N/F
METRO GREEN, LLC
PARCEL R6220 010
DB 50696 PG 376

D:\PROJECTS\4303 PLEASANTDALE\CONSTRUCTION PLANS\DWG\000 - COVER.dwg - 4/30/2024 - 3:58 PM

CONSTRUCTION PLANS

FOR

4303 PLEASANTDALE RD

ATLANTA GA 30340

PREPARED FOR:

METRO GREEN, LLC

4351 PLEASANTDALE ROAD

ATLANTA, GA 30340

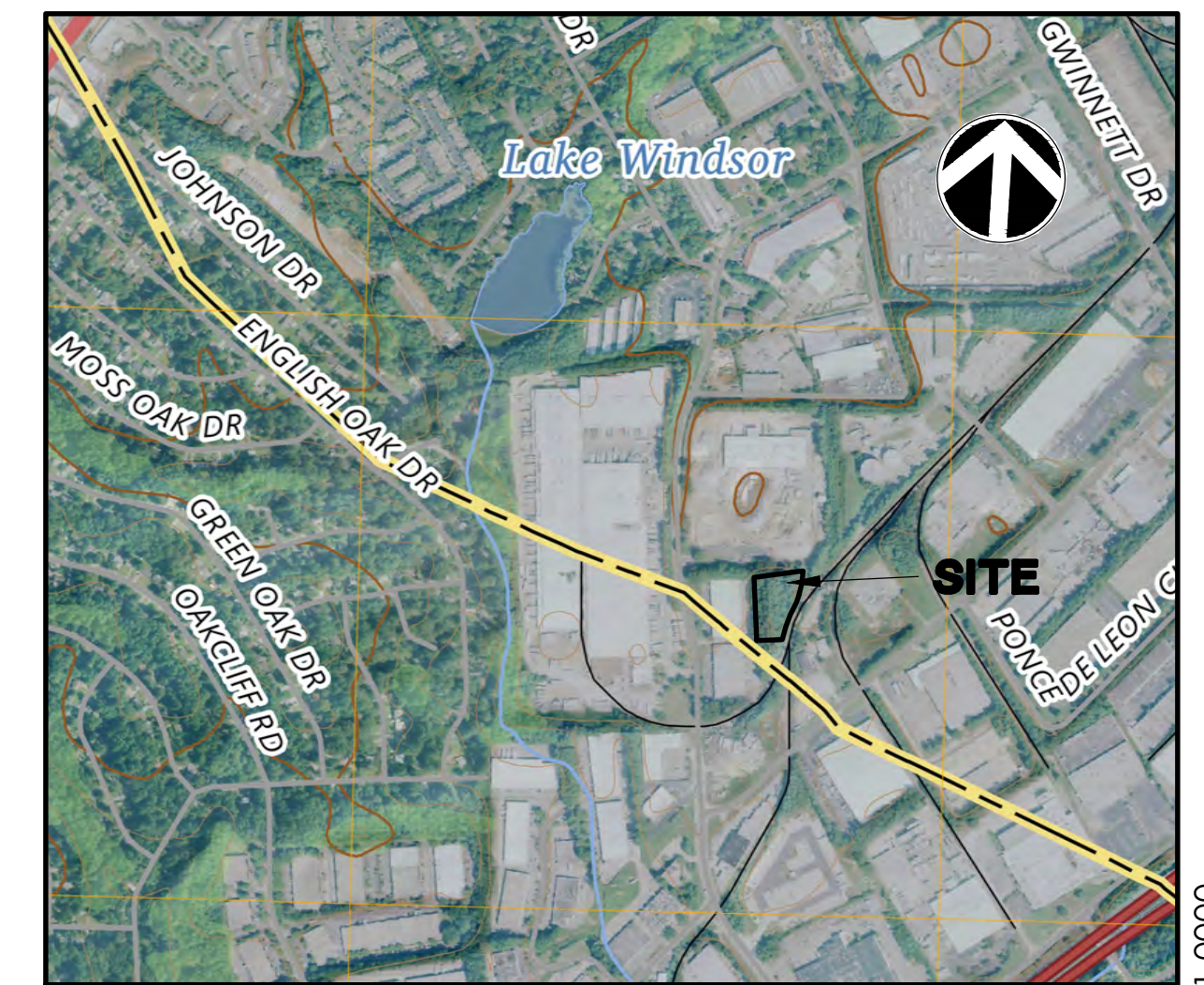
(770)361-8258

MDS@MITCHELLDSTEPHENS.COM

TM#

4/30/2024

J-31481.0000



VICINITY MAP
SCALE: 1" = 1002.2469'

J-31481.0000

Sheet List Table

Sheet Number	Sheet Title
CO	COVER
CO.1	EXISTING CONDITIONS
CI.1	SITE, GRADING, AND UTILITY PLAN
CI.2	UTILITY PROFILES
EC0.1	ESPC - NOTES
EC0.2	ESPC - NOTES
EC0.3	ESPC - NOTES
EC1.1	ESPC - INITIAL
EC2.1	ESPC - INTERMEDIATE
EC3.1	ESPC - FINAL
EC4.1	ESPC - DETAILS
EC4.2	ESPC - DETAILS

REVISION HISTORY

REV. NO.	REVISION	BY	DATE

SUBMITTAL HISTORY

SUBMITTED TO	DATE

PREPARED BY:

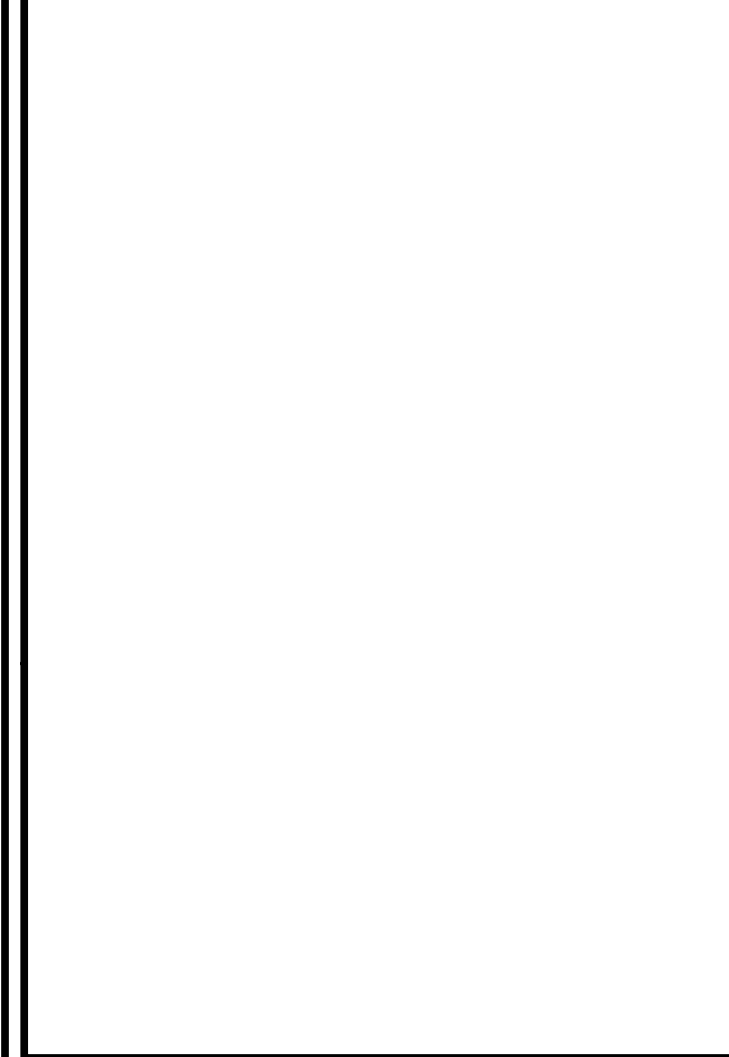
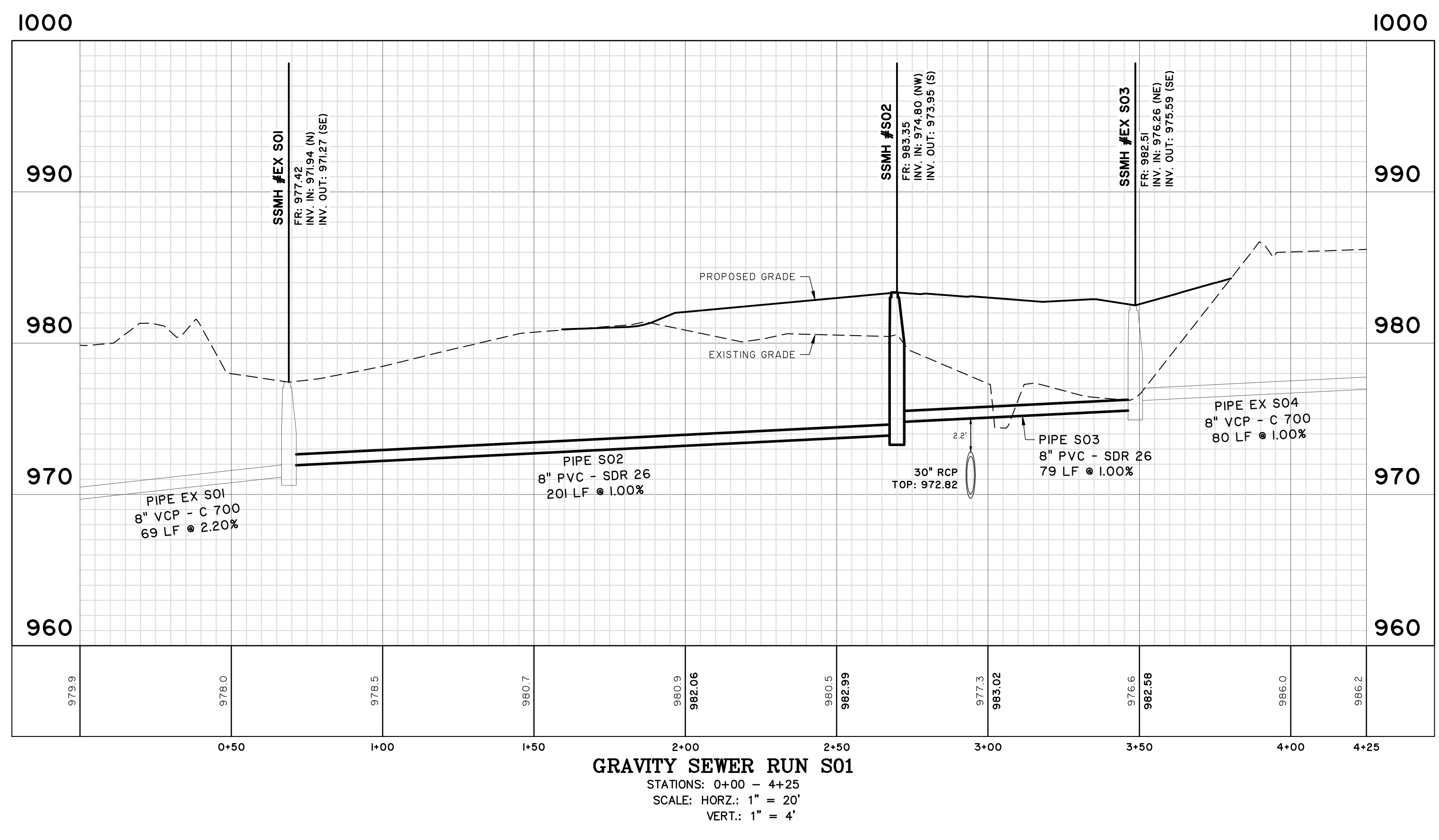
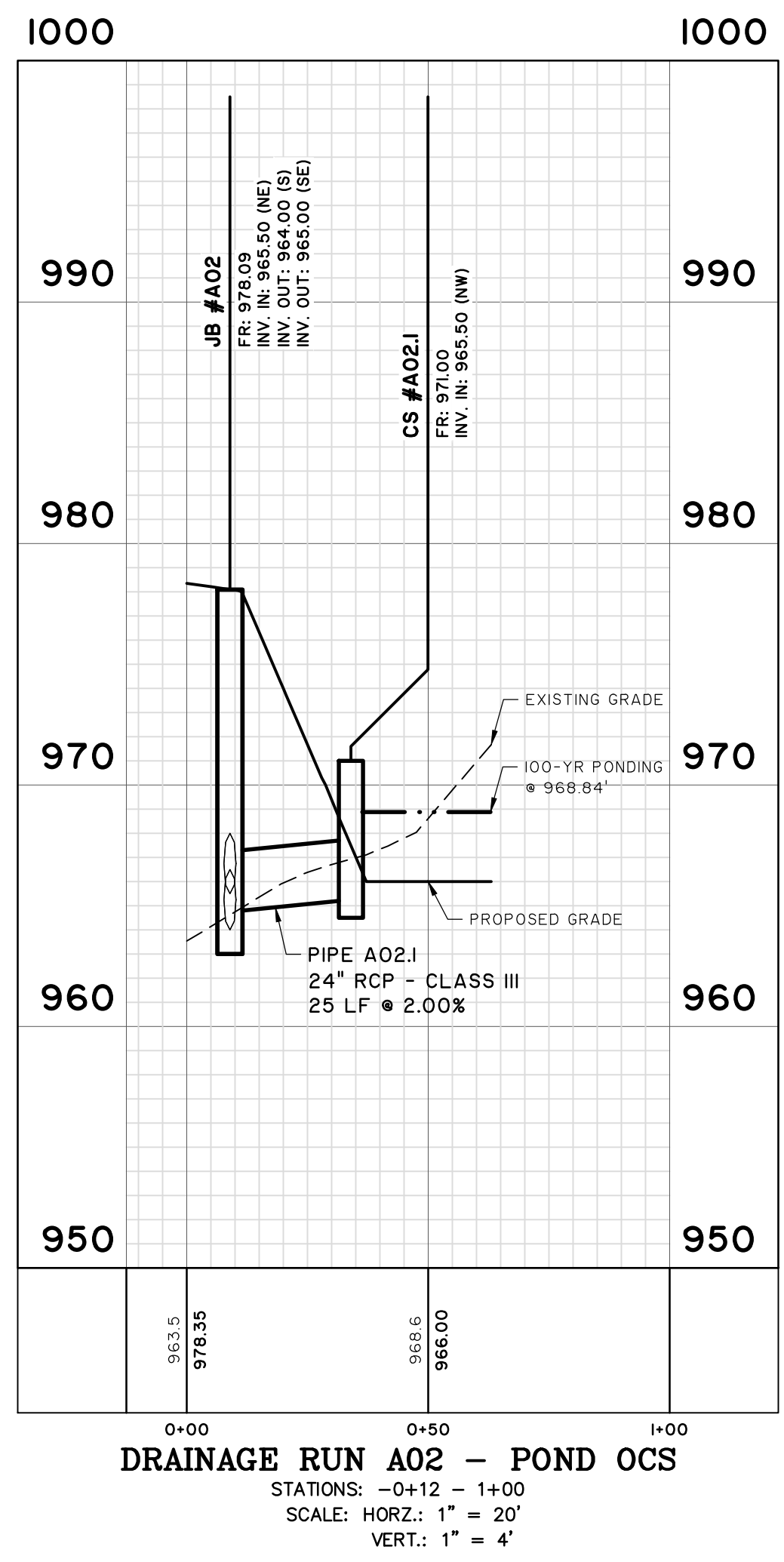
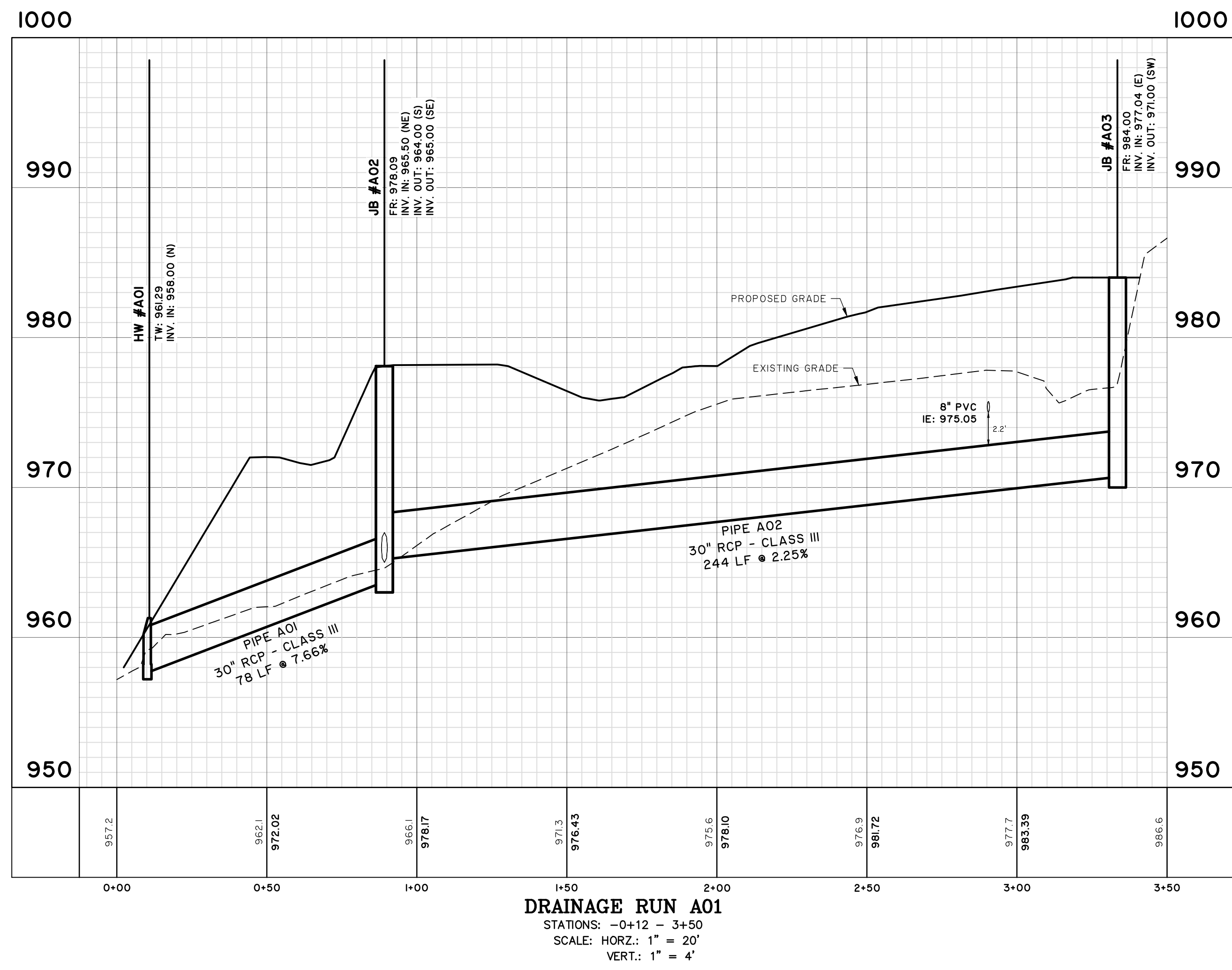


Know what's below.
Call before you dig.



5074 Bristol Industrial Way • Suite A
Buford, GA 30518
p.770-271-2868
www.thomasandhutton.com

Z:\14811\14811000\ENGINEERING\DRAWINGS\CONSTRUCTION\PLAN\4811000 - ST.DWG - May 1, 2014 - 3:58 PM



NO.	REVISIONS	BY	DATE



THOMAS & HUTTON

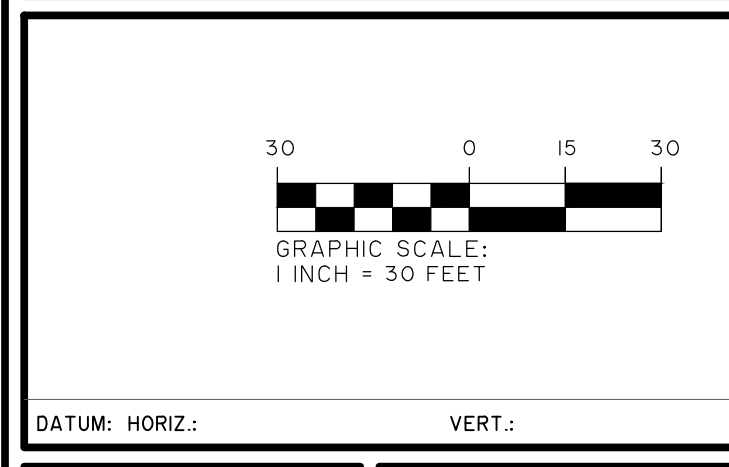
5074 Bristol Industrial Way • Suite A
 Buford, GA 30518 • 770-271-2868
 www.thomasandhutton.com

STORM AND SANITARY PROFILES

4303 PLEASANTDALE RD

PROJECT LOCATION:
 4303 PLEASANTDALE RD
 ATLANTA, GEORGIA 30340

CLIENT/OWNER:
 METRO GREEN, LLC
 4351 PLEASANTDALE ROAD
 ATLANTA, GA 30340
 MITCHELL STEPHENS
 (770) 361-8258
 MDS@MITCHELLDSTEPHENS.COM



JOB NO: 31481.0000
 DATE: _____
 DRAWN: _____
 DESIGNED: _____
 REVIEWED: _____
 APPROVED: _____
 SCALE: 1" = 30'

C1.1

EROSION, SEDIMENTATION & POLLUTION CONTROL PLAN CHECKLIST - STAND ALONE CONSTRUCTION PROJECTS

SWCD: GWINNETT
PROJECT NAME: 3403 PLEASANTDALE RD
CITY/COUNTY: GWINNETT COUNTY

ADDRESS: 4303 PLEASANTDALE RD. ATLANTA, GA 30340
DATE ON PLANS: 04/09/2024
NAME AND EMAIL OF PERSON FILLING OUT CHECKLIST: JOSEPH BELCHER - BELCHER.J@TANDH.COM

PAGE # Y/N

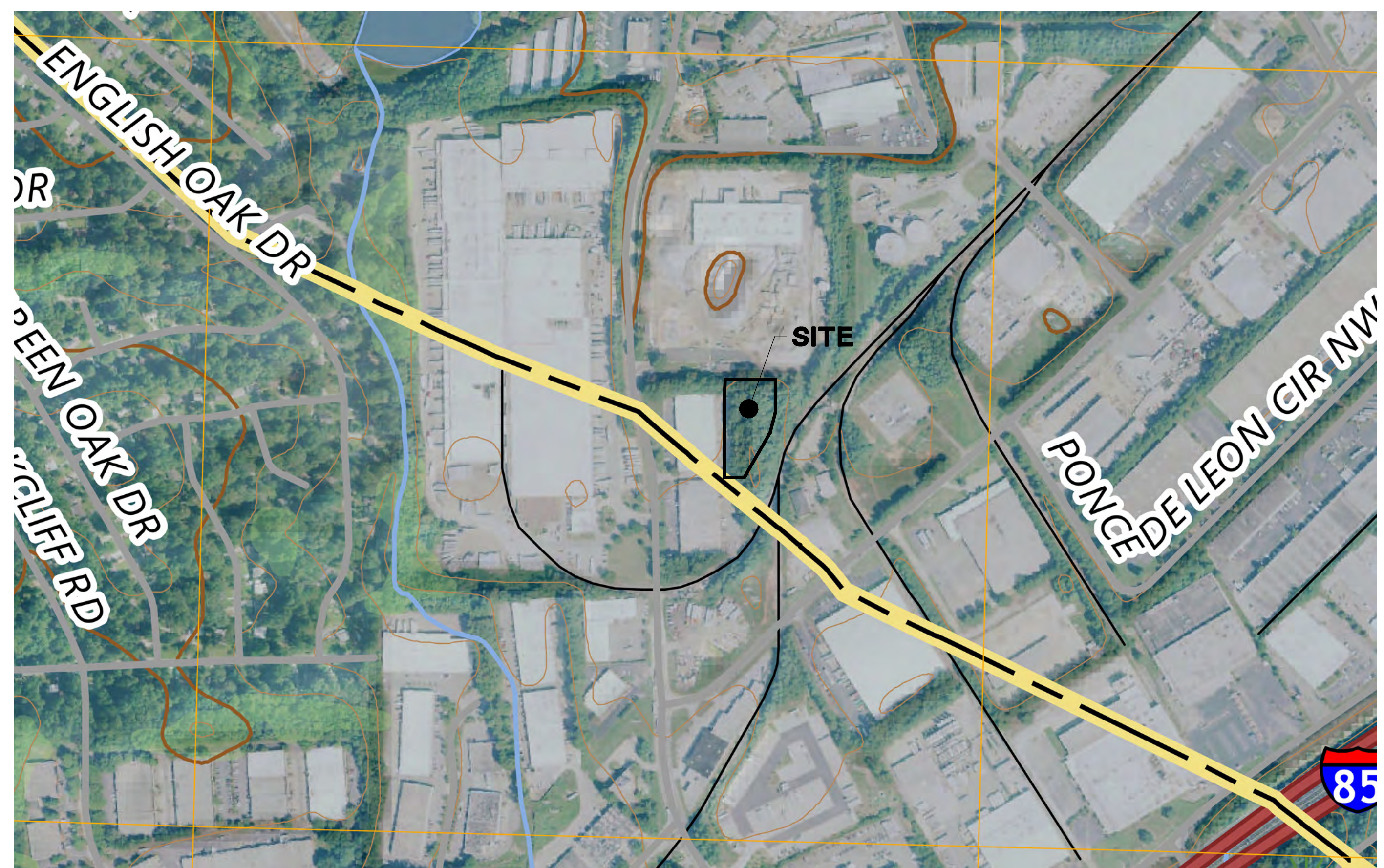
- 33. DESCRIPTION OF ANALYTICAL METHODS TO BE USED TO COLLECT AND ANALYZE THE SAMPLES FROM EACH LOCATION.
34. APPENDIX B RATIONALE FOR NTU VALUES AT ALL OUTFALL SAMPLING POINTS WHERE APPLICABLE.
35. DELINEATE ALL SAMPLING LOCATIONS, PERENNIAL AND INTERMITTENT STREAMS AND OTHER WATER BODIES INTO WHICH STORM WATER IS DISCHARGED.
36. A DESCRIPTION OF APPROPRIATE CONTROLS AND MEASURES THAT WILL BE IMPLEMENTED AT THE CONSTRUCTION SITE INCLUDING: (1) INITIAL SEDIMENT STORAGE REQUIREMENTS AND PERIMETER CONTROL BMP'S, (2) INTERMEDIATE GRADING AND DRAINAGE BMP'S, AND (3) FINAL BMP'S FOR CONSTRUCTION SITES WHERE THERE WILL BE NO MASS GRADING AND THE INITIAL PERIMETER CONTROL BMP'S, INTERMEDIATE GRADING AND DRAINAGE BMP'S, AND FINAL BMP'S ARE THE SAME.
37. GRAPHIC SCALE AND NORTH ARROW.
38. EXISTING AND PROPOSED CONTOUR LINES WITH CONTOUR LINES DRAWN AT AN INTERVAL IN ACCORDANCE WITH THE FOLLOWING:
39. USE OF ALTERNATIVE BMP'S WHOSE PERFORMANCE HAS BEEN DOCUMENTED TO BE EQUIVALENT TO OR SUPERIOR TO CONVENTIONAL BMP'S AS CERTIFIED BY A DESIGN PROFESSIONAL (UNLESS DISAPPROVED BY GAEPD OR THE GEORGIA SOIL AND WATER CONSERVATION COMMISSION).
40. USE OF ALTERNATIVE BMP FOR APPLICATION TO THE EQUIVALENT BMP LIST. PLEASE REFER TO APPENDIX A-2 OF THE MANUAL FOR EROSION & SEDIMENT CONTROL IN GEORGIA 2016.
41. DELINEATION OF THE APPLICABLE 25-FOOT OR 50-FOOT UNDISTURBED BUFFERS ADJACENT TO STATE WATERS AND ANY ADDITIONAL BUFFERS REQUIRED BY THE LOCAL ISSUING AUTHORITY. CLEARLY NOTE AND DELINEATE ALL AREAS OF IMPACT.

Appendix B
Nephelometric Turbidity Unit (NTU) Table
Warm Water (Supporting Warm Water Fisheries)
Surface Water Drainage Area, square miles
Table with columns for NTU ranges and drainage area ranges.

SAMPLING POINT SUMMARY
Table with columns: SAMPLING POINT, PROJECT AREA (AC.), SURFACE WATER DRAINAGE AREA (SQ. MI.), SAMPLING TYPE, RECEIVING WATER, NTU VALUE.

SOIL SERIES LEGEND
Table with columns: SOIL SERIES, SOIL DESCRIPTION.

- 42. DELINEATION OF ON-SITE WETLANDS AND ALL STATE WATERS LOCATED ON AND WITHIN 200 FEET OF THE PROJECT SITE.
43. DELINEATION AND ACREAGE OF CONTRIBUTING DRAINAGE BASINS ON THE PROJECT SITE.
44. PROVIDE HYDROLOGY STUDY AND MAPS OF DRAINAGE BASINS FOR BOTH PRE AND POST-DEVELOPED CONDITIONS.
45. AN ESTIMATE OF THE RUNOFF COEFFICIENT OR PEAK DISCHARGE FLOW OF THE SITE PRIOR TO AND AFTER CONSTRUCTION ACTIVITIES ARE COMPLETED.
46. STORM-DRAIN PIPE AND WEIR VELOCITIES WITH APPROPRIATE OUTLET PROTECTION TO ACCOMMODATE DISCHARGES WITHOUT EROSION. IDENTIFY/DELINEATE ALL STORM WATER DISCHARGE POINTS.
47. SOIL SERIES FOR THE PROJECT SITE AND THEIR DELINEATION.
48. THE LIMITS OF DISTURBANCE FOR EACH PHASE OF CONSTRUCTION.
49. PROVIDE A MINIMUM OF 67 CUBIC YARDS OF SEDIMENT STORAGE PER ACRE DRAINED USING A TEMPORARY SEDIMENT BASIN, RETROFITTED DETENTION POND, AND/OR EXCAVATED INLET SEDIMENT TRAPS FOR EACH COMMON DRAINAGE LOCATION.
50. LOCATION OF BEST MANAGEMENT PRACTICES THAT ARE CONSISTENT WITH AND NO LESS STRINGENT THAN THE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA. USE UNIFORM CODING SYMBOLS FROM THE MANUAL, CHAPTER 6, WITH LEGEND.



EFFECTIVE JANUARY 1, 2024

Table with columns: NO., REVISIONS, BY, DATE.



THOMAS & HUTTON logo and contact information: 5074 Bristol Industrial Way • Suite A Buford, GA 30518 • 770-271-2868

EROSION CONTROL NOTES
4303 PLEASANTDALE RD

PROJECT LOCATION: 4303 PLEASANTDALE RD ATLANTA, GEORGIA 30340
CLIENT/OWNER: METRO GREEN, LLC 4351 PLEASANTDALE ROAD ATLANTA, GA 30340

Scale bar: GRAPHIC SCALE: 1 INCH = 400 FEET
DATUM: HORIZ: VERT:
JOB NO: 31481.0000
DATE:
DRAWN:
DESIGNED:
REVIEWED:
APPROVED:
SCALE: 1" = 400'

EC0.3

USGS QUAD MAP
SCALE = 1" = 400'

Z:\MAPS\2024\EROSION CONTROL\THOMAS & HUTTON\CONSTRUCTION PLANS\48 R/W - EC1.DWG - May 1, 2024 - 3:58 PM

THOMAS & HUTTON EROSION CONTROL NOTES

- THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.
- EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL AND TREAT THE SEDIMENT SOURCE.
- ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
- PLASTIC SHEETING OR TEMPORARY ROOFS SHALL BE USED TO COVER BUILDING MATERIALS, BUILDING PRODUCTS, CONSTRUCTION WASTES, TRASH, LANDSCAPE MATERIALS, FERTILIZERS, PESTICIDES, HERBICIDES, DETERGENTS, SANITARY WASTE, AND OTHER MATERIALS IN ORDER TO MINIMIZE EXPOSURE TO PRECIPITATION AND TO STORMWATER.
- NOTIFY THE TOWN OF BRASELTON INSPECTOR 24 HOURS PRIOR TO THE BEGINNING PHASE OF CONSTRUCTION.
- CONSTRUCTION WASTE AND/OR VEGETATIVE MATERIAL MUST BE TAKEN TO A STATE APPROVED LANDFILL.
- OUTSIDE CONSTRUCTION SHALL BE LIMITED TO THE HOURS OF 7:00 AM TO 7:00 PM MONDAY TO FRIDAY; 8:00 AM TO 6:00 PM SATURDAY; THERE WILL BE NO OUTSIDE CONSTRUCTION ON SUNDAY.
- TREE PROTECTION FENCING MUST BE INSTALLED AND INSPECTED PRIOR TO OR CONCURRENT WITH ANY CLEARING, GRUBBING OR GRADING.
- WASHOUT OF THE CONCRETE DRUM AT THE CONSTRUCTION SITE IS PROHIBITED.
- ALL UNDISTURBED BUFFERS SHALL BE IDENTIFIED WITH ORANGE, FOUR-FOOT TREE-SAVE FENCING PRIOR TO ANY LAND DISTURBANCE (UDC Sec. 18-10.1)
- SURFACE ROUGHENING (SS) SHOULD BE APPLIED TO ALL SLOPES STEEPER THAN 3:1 THAT ARE NOT COVERED BY ROLLED EROSION CONTROL PRODUCTS.
- PETROLEUM STORAGE SHALL BE DONE IN ACCORDANCE WITH ONE OF THE TWO FOLLOWING METHODS TO PREVENT STORMWATER DISCHARGES ON THE SITE
 - ALL PETROLEUM STORAGE CONTAINERS SHALL BE COVERED WITH PLASTIC SHEETING OR BE LOCATED UNDER A TEMPORARY ROOF.
 - ALL PETROLEUM STORAGE CONTAINERS SHALL BE LOCATED IN A SECONDARY CONTAINMENT AREA.
- A SITE SPECIFIC SOILS TEST WILL BE REQUIRED IN ORDER TO IMPLEMENT SITE SPECIFIC FERTILIZER NEEDS.
- COMPOST BLANKETS ARE TO BE IMPLEMENTED TO PROTECT SOIL SURFACES UNTIL VEGETATION IS ESTABLISHED DURING THE FINAL STABILIZATION PHASE OF THE CONSTRUCTION ACTIVITY.

EROSION CONTROL LEGEND

DESCRIPTION	PLAN SYMBOL
DISTURBED AREA STABILIZATION (TEMPORARY SEEDING)	Ds2
DUST CONTROL	Du
SLOPE STABILIZATION	Ss
FLOCCULANTS AND COAGULANTS	Fl-Co
CONSTRUCTION EXIT	Co
SILT FENCE - TYPE S	Sd1-S
INLET SEDIMENT TRAP (FILTER FABRIC WITH FRAME)	Sd2-F
TURBIDITY CURTAIN - FLOATING	Tc-F

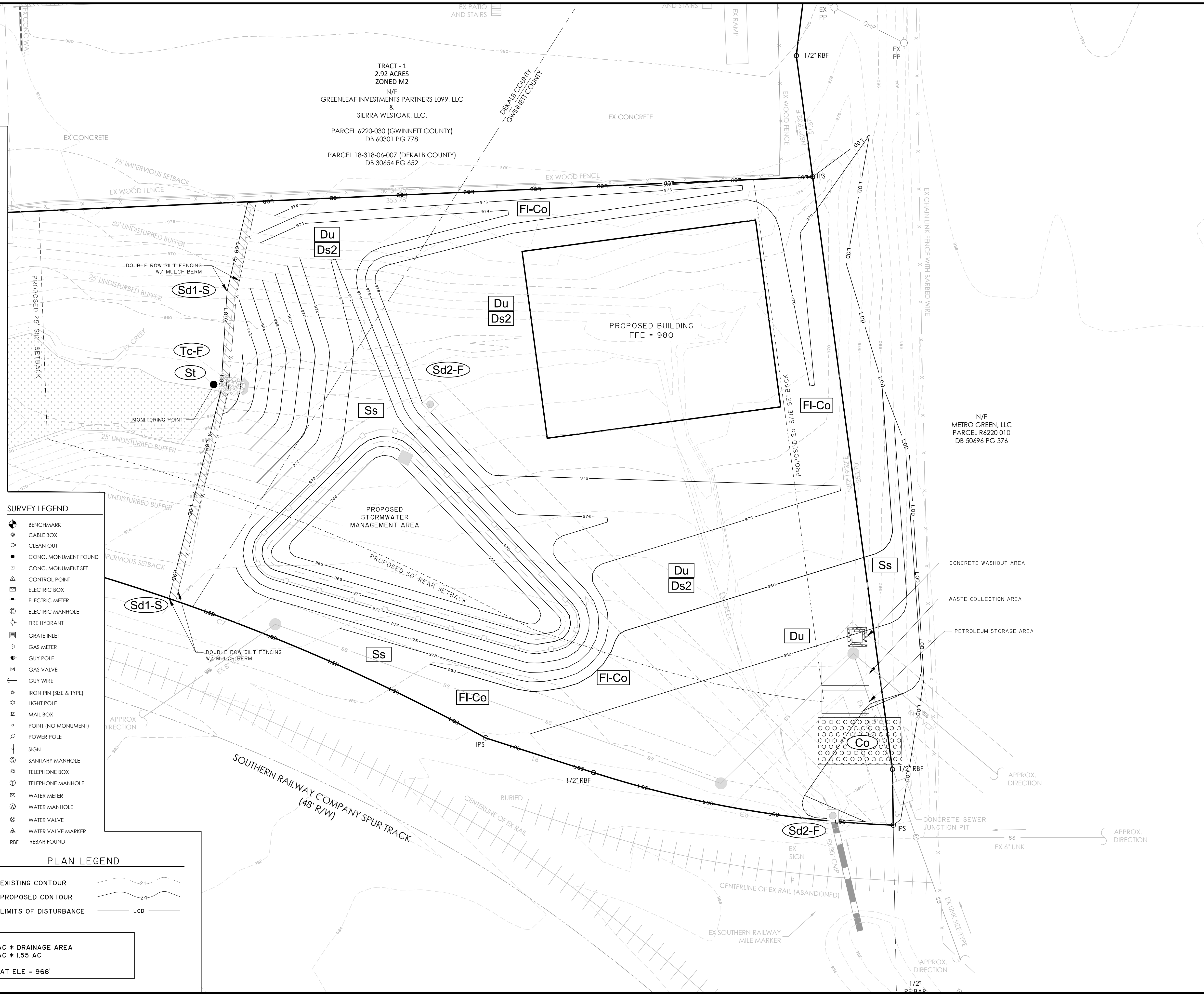
- DRAINAGE AREA = 1.81 AC
- REQUIRED SEDIMENT STORAGE = 67 CY/AC * DRAINAGE AREA
 REQUIRED SEDIMENT STORAGE = 67 CY/AC * 1.55 AC
 REQUIRED SEDIMENT STORAGE = 104 CY
 PROVIDED SEDIMENT STORAGE = 326 CY AT ELE = 968'

SURVEY LEGEND

- BENCHMARK
- CABLE BOX
- CLEAN OUT
- CONC. MONUMENT FOUND
- CONC. MONUMENT SET
- CONTROL POINT
- ELECTRIC BOX
- ELECTRIC METER
- ELECTRIC MANHOLE
- FIRE HYDRANT
- GRATE INLET
- GAS METER
- GUY POLE
- GAS VALVE
- GUY WIRE
- IRON PIN (SIZE & TYPE)
- LIGHT POLE
- MAIL BOX
- POINT (NO MONUMENT)
- POWER POLE
- SIGN
- SANITARY MANHOLE
- TELEPHONE BOX
- TELEPHONE MANHOLE
- WATER METER
- WATER MANHOLE
- WATER VALVE
- WATER VALVE MARKER
- REBAR FOUND

PLAN LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- LIMITS OF DISTURBANCE



NO.	REVISIONS	BY	DATE

N/F
METRO GREEN, LLC
PARCEL R6220 010
DB 50696 PG 376

THOMAS & HUTTON

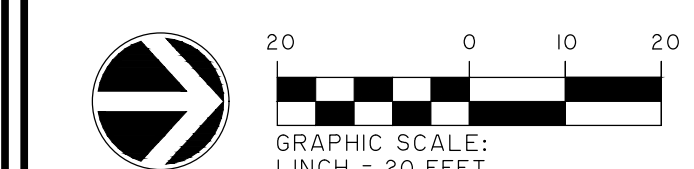
5074 Bristol Industrial Way • Suite A
Buford, GA 30518 • 770-271-2868
www.thomasandhutton.com

EROSION CONTROL - INTERMEDIATE PHASE

4303 PLEASANTDALE RD

PROJECT LOCATION:
4303 PLEASANTDALE RD
ATLANTA, GEORGIA 30340

CLIENT/OWNER:
METRO GREEN, LLC
4351 PLEASANTDALE ROAD
ATLANTA, GA 30340
MITCHELL STEPHENS
(770) 361-8258
MDS@MITCHELLDSTEPHENS.COM



DATUM: HORIZ: _____ VERT: _____

JOB NO: 31481.0000
DATE: _____
DRAWN: _____
DESIGNED: _____
REVIEWED: _____
APPROVED: _____
SCALE: 1" = 20'

EC1.2

Z:\N\N\485000\ENGINEERING\DRAWINGS\CONSTRUCTION PLANS\318E\000 - EC1.3.DWG - May 1, 2014 - 3:58 PM

THOMAS & HUTTON EROSION CONTROL NOTES

- THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.
- EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL AND TREAT THE SEDIMENT SOURCE.
- ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
- PLASTIC SHEETING OR TEMPORARY ROOFS SHALL BE USED TO COVER BUILDING MATERIALS, BUILDING PRODUCTS, CONSTRUCTION WASTES, TRASH, LANDSCAPE MATERIALS, FERTILIZERS, PESTICIDES, HERBICIDES, DETERGENTS, SANITARY WASTE, AND OTHER MATERIALS IN ORDER TO MINIMIZE EXPOSURE TO PRECIPITATION AND TO STORMWATER.
- NOTIFY THE TOWN OF BRASELTON INSPECTOR 24 HOURS PRIOR TO THE BEGINNING PHASE OF CONSTRUCTION.
- CONSTRUCTION WASTE AND/OR VEGETATIVE MATERIAL MUST BE TAKEN TO A STATE APPROVED LANDFILL.
- OUTSIDE CONSTRUCTION SHALL BE LIMITED TO THE HOURS OF 7:00 AM TO 7:00 PM MONDAY TO FRIDAY; 8:00 AM TO 6:00 PM SATURDAY; THERE WILL BE NO OUTSIDE CONSTRUCTION ON SUNDAY.
- TREE PROTECTION FENCING MUST BE INSTALLED AND INSPECTED PRIOR TO OR CONCURRENT WITH ANY CLEARING, GRUBBING OR GRADING.
- WASHOUT OF THE CONCRETE DRUM AT THE CONSTRUCTION SITE IS PROHIBITED.
- ALL UNDISTURBED BUFFERS SHALL BE IDENTIFIED WITH ORANGE, FOUR-FOOT TREE-SAVE FENCING PRIOR TO ANY LAND DISTURBANCE (UDC Sec. 18-10.1)
- SURFACE ROUGHENING (SS) SHOULD BE APPLIED TO ALL SLOPES STEEPER THAN 3:1 THAT ARE NOT COVERED BY ROLLED EROSION CONTROL PRODUCTS.
- PETROLEUM STORAGE SHALL BE DONE IN ACCORDANCE WITH ONE OF THE TWO FOLLOWING METHODS TO PREVENT STORMWATER DISCHARGES ON THE SITE
 - ALL PETROLEUM STORAGE CONTAINERS SHALL BE COVERED WITH PLASTIC SHEETING OR BE LOCATED UNDER A TEMPORARY ROOF.
 - ALL PETROLEUM STORAGE CONTAINERS SHALL BE LOCATED IN A SECONDARY CONTAINMENT AREA.
- A SITE SPECIFIC SOILS TEST WILL BE REQUIRED IN ORDER TO IMPLEMENT SITE SPECIFIC FERTILIZER NEEDS.
- COMPOST BLANKETS ARE TO BE IMPLEMENTED TO PROTECT SOIL SURFACES UNTIL VEGETATION IS ESTABLISHED DURING THE FINAL STABILIZATION PHASE OF THE CONSTRUCTION ACTIVITY.

EROSION CONTROL LEGEND

DESCRIPTION	PLAN SYMBOL
DISTURBED AREA STABILIZATION (PERMANENT VEGETATION)	Ds3
DISTURBED AREA STABILIZATION (SODDING)	Ds4
DUST CONTROL	Du
SLOPE STABILIZATION	Ss
FLOCCULANTS AND COAGULANTS	Fl-Co
CONSTRUCTION EXIT	Co
SILT FENCE - TYPE S	Sd1-S
INLET SEDIMENT TRAP (FILTER FABRIC WITH FRAME)	Sd2-F
TURBIDITY CURTAIN - FLOATING	Tc-F

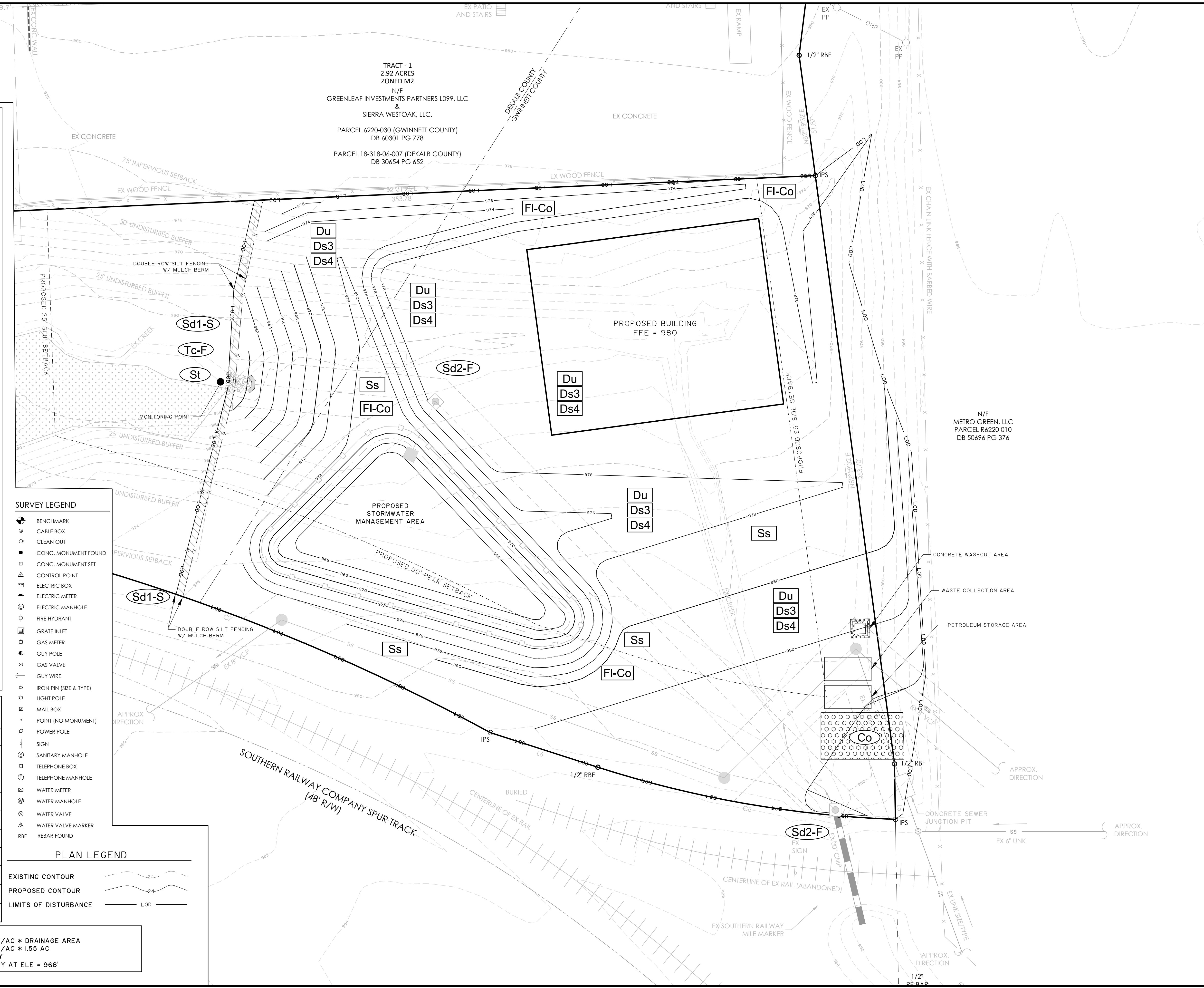
- DRAINAGE AREA = 1.81 AC
- REQUIRED SEDIMENT STORAGE = 67 CY/AC * DRAINAGE AREA
 REQUIRED SEDIMENT STORAGE = 67 CY/AC * 1.55 AC
 REQUIRED SEDIMENT STORAGE = 104 CY
 PROVIDED SEDIMENT STORAGE = 326 CY AT ELE. = 968'

SURVEY LEGEND

⊕	BENCHMARK
□	CABLE BOX
■	CLEAN OUT
⦿	CONC. MONUMENT FOUND
□	CONC. MONUMENT SET
⊕	CONTROL POINT
⊖	ELECTRIC BOX
⊖	ELECTRIC METER
⊖	ELECTRIC MANHOLE
⊕	FIRE HYDRANT
⊕	GAS METER
⊕	GUY POLE
⊕	GAS VALVE
⊕	GUY WIRE
⊕	IRON PIN (SIZE & TYPE)
⊕	LIGHT POLE
⊕	MAIL BOX
⊕	POINT (NO MONUMENT)
⊕	POWER POLE
⊕	SIGN
⊕	SANITARY MANHOLE
⊕	TELEPHONE BOX
⊕	TELEPHONE MANHOLE
⊕	WATER METER
⊕	WATER MANHOLE
⊕	WATER VALVE
⊕	WATER VALVE MARKER
⊕	RFB FOUND

PLAN LEGEND

	EXISTING CONTOUR
	PROPOSED CONTOUR
	LIMITS OF DISTURBANCE



NO.	REVISIONS	BY	DATE

5074 Bristol Industrial Way • Suite A
 Buford, GA 30518 • 770-271-2868
www.thomasandhutton.com

EROSION CONTROL - FINAL PHASE

4303 PLEASANTDALE RD

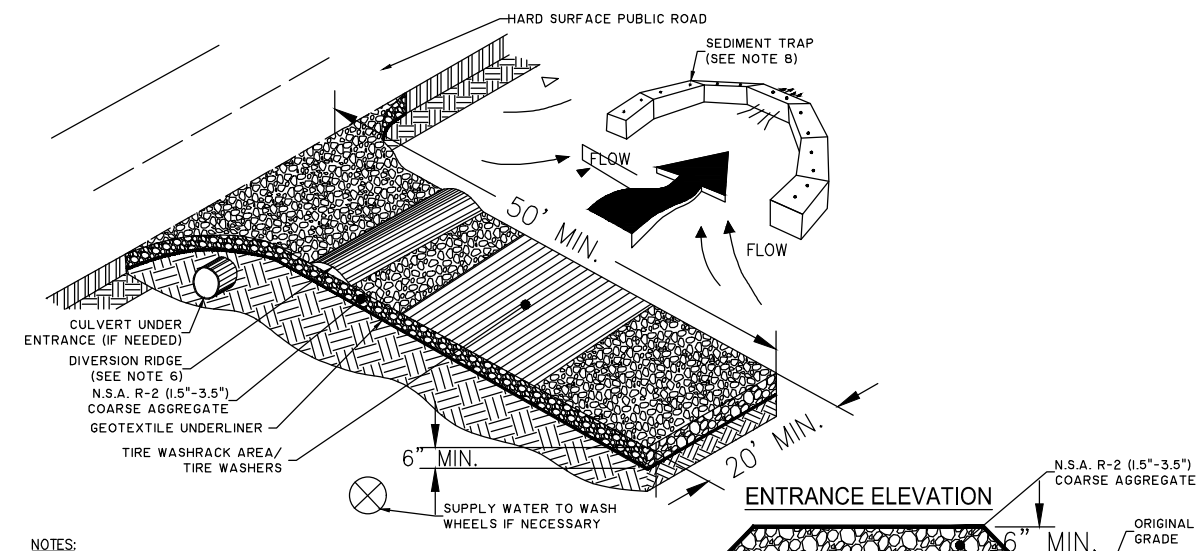
PROJECT LOCATION:
 4303 PLEASANTDALE RD
 ATLANTA, GEORGIA 30340

CLIENT/OWNER:
 METRO GREEN, LLC
 4351 PLEASANTDALE ROAD
 ATLANTA, GA 30340
 MITCHELL STEPHENS
 (770) 361-8258
 MDS@MITCHELLSDSTEPHENS.COM

GRAPHIC SCALE: 1 INCH = 20 FEET
 DATUM: HORIZ.: VERT.:

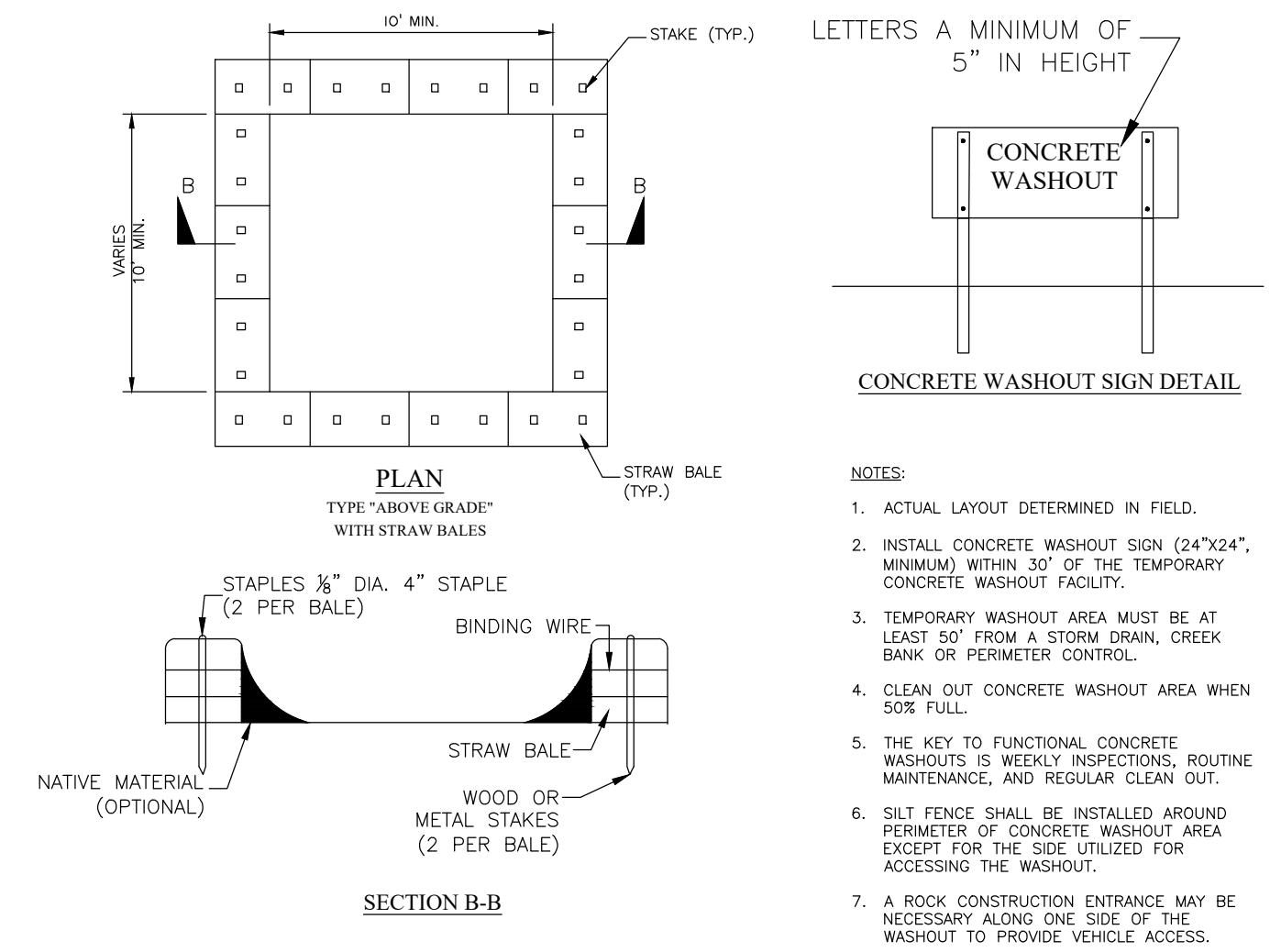
JOB NO:	31481.0000
DATE:	
DRAWN:	
DESIGNED:	
REVIEWED:	
APPROVED:	
SCALE:	1" = 20'

EC1.3

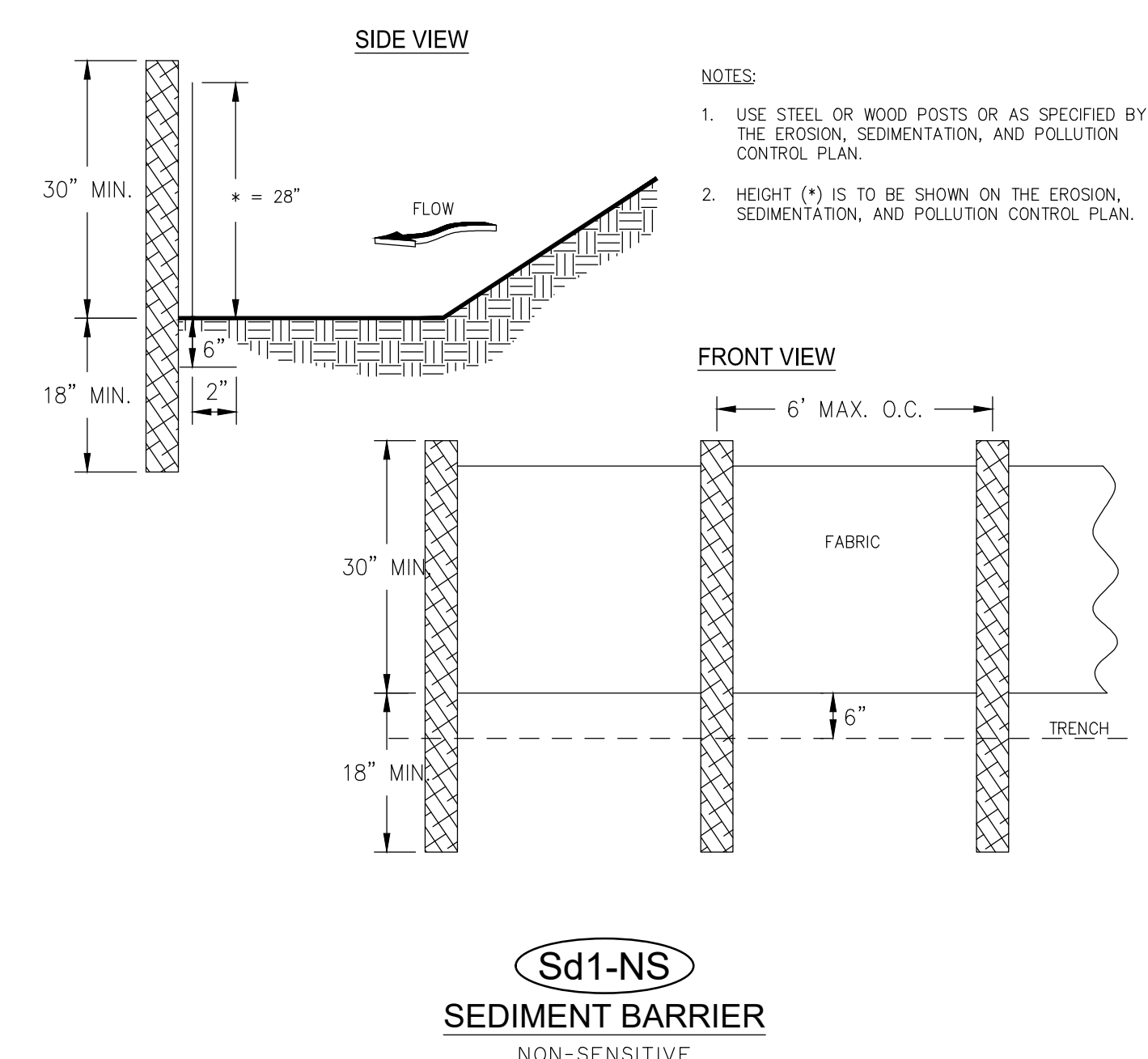
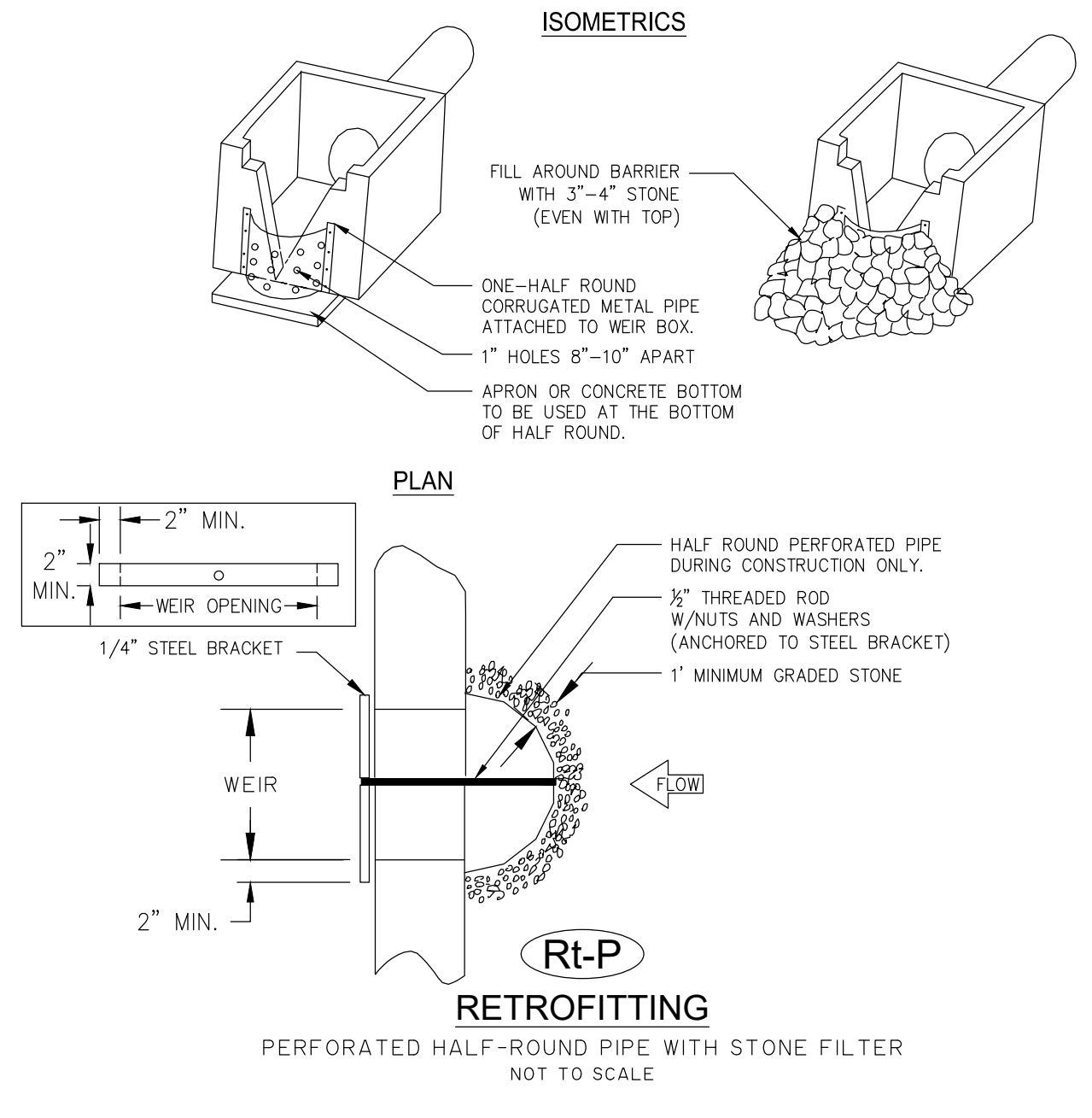


- NOTES:**
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-1.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 6".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20'.
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (DIRECT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRAKES AND/OR TIRE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRAKES DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

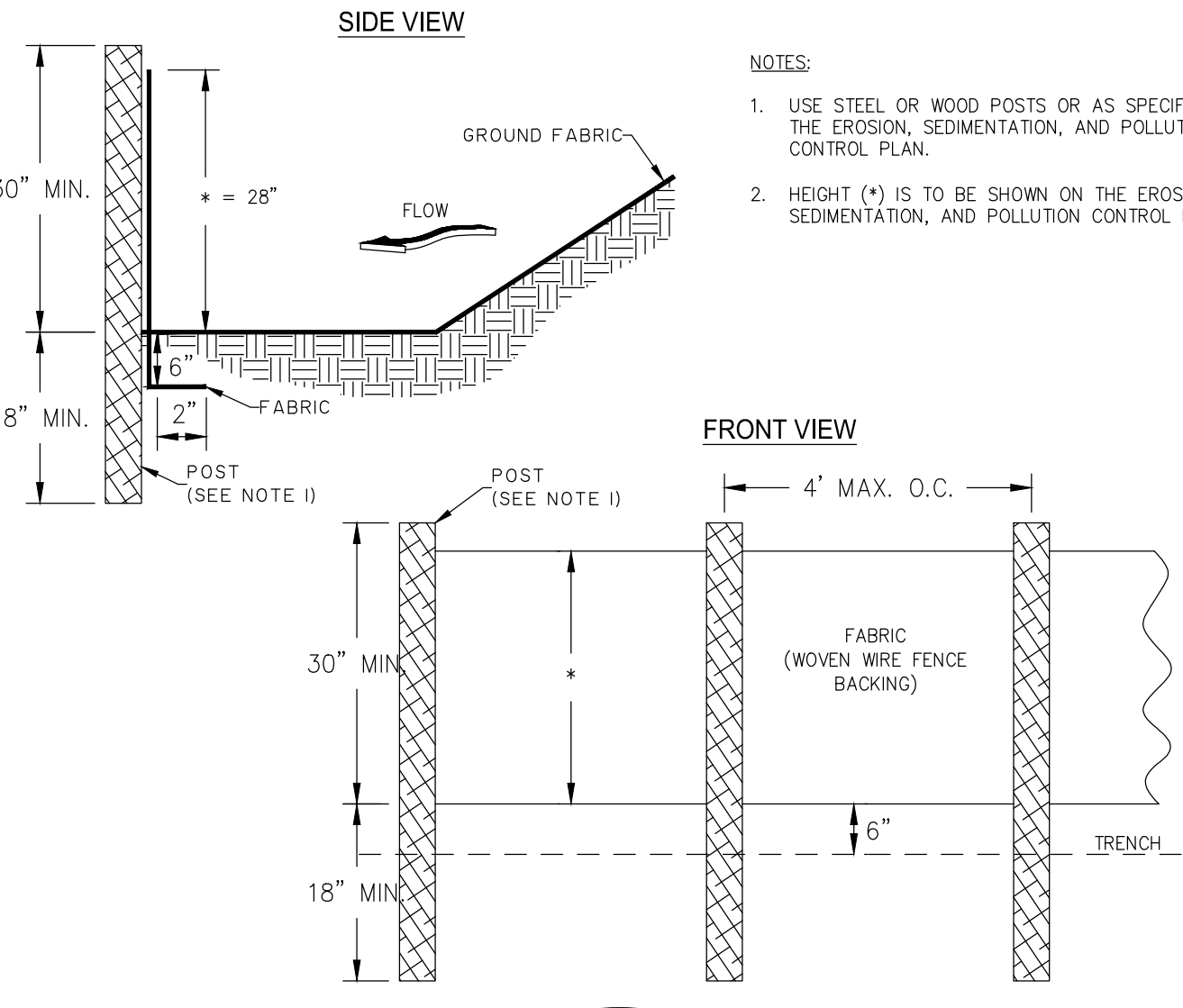
Co
CONSTRUCTION ENTRANCE/EXIT
EXIT DIAGRAM
NOT TO SCALE



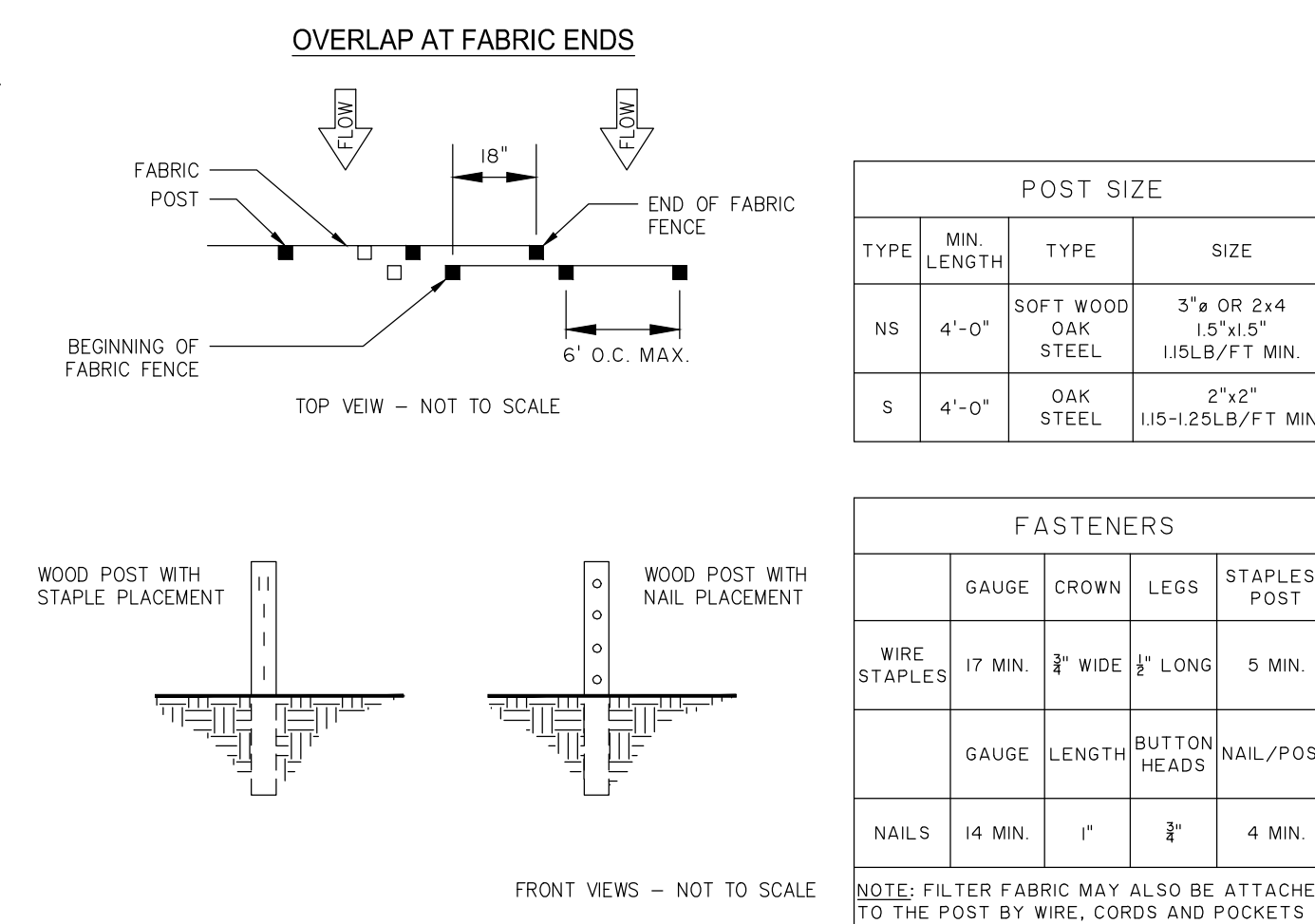
Cw
CONCRETE WASHOUT
STRAW BALES ABOVE GROUND
NOT TO SCALE



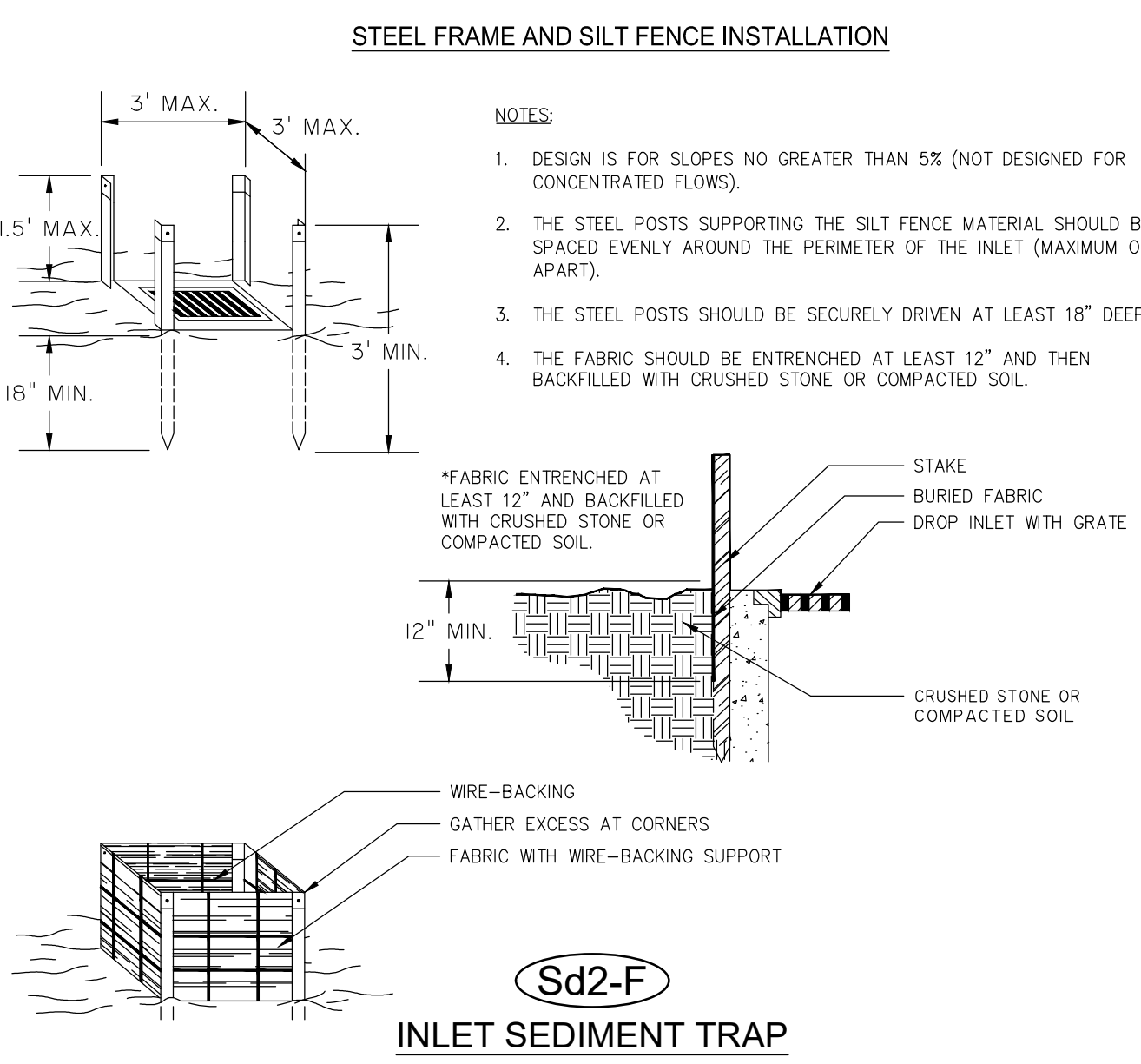
Sd1-NS
SEDIMENT BARRIER
NON-SENSITIVE
NOT TO SCALE



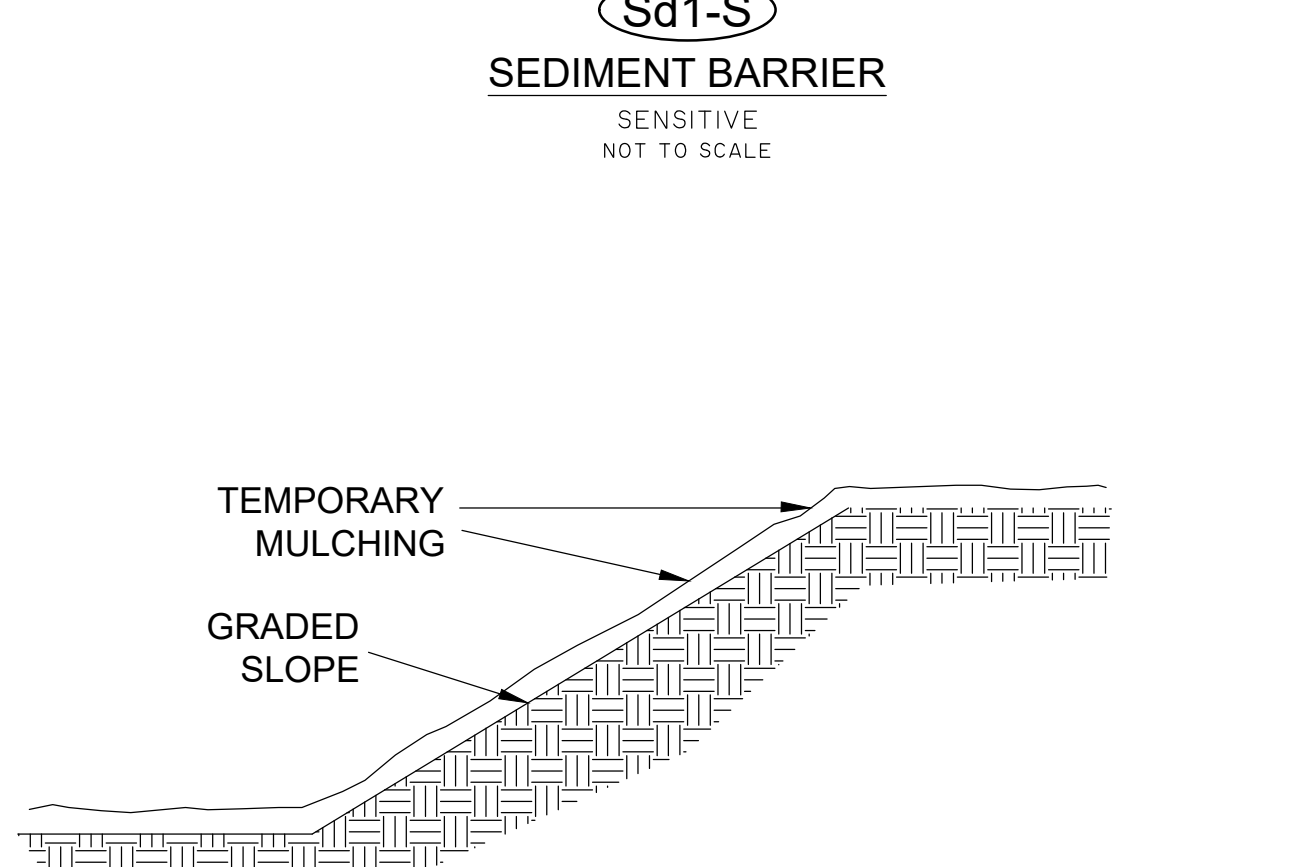
Sd1-S
SEDIMENT BARRIER
SENSITIVE
NOT TO SCALE



FASTENERS FOR SILT FENCE
POST SIZE AND FASTENERS
NOT TO SCALE



Sd2-F
INLET SEDIMENT TRAP
FILTER FABRIC WITH SUPPORTING FRAME
NOT TO SCALE



USE ONE OF FOLLOWING MATERIALS:

MATERIAL	DEPTH
STRAW OR HAY*	2" TO 4"
PINE STRAW OR BARK	2" TO 3"
WOOD PULP FIBER	2" TO 3"

*APPLY AT A RATE OF 2 TO 2-1/2 TONS PER ACRE.

Ds1
DISTURBED AREA STABILIZATION
WITH MULCHING ONLY
NOT TO SCALE

DEFINITION:
THE ESTABLISHMENT OF TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS FOR SEASONAL PROTECTION ON DISTURBED OR DEGRADED AREAS.

CONDITIONS:
TEMPORARY GRASSING, INSTEAD OF MULCH, CAN BE APPLIED TO ROUGH GRADED AREAS THAT WILL BE EXPOSED FOR LESS THAN SIX MONTHS. TEMPORARY VEGETATIVE MEASURES SHOULD BE COORDINATED WITH PERMANENT MEASURES TO ASSURE ECONOMIC AND EFFECTIVE STABILIZATION. MOST TYPES OF TEMPORARY VEGETATION ARE IDEAL TO USE AS COMPANION CROPS UNTIL THE PERMANENT VEGETATION IS ESTABLISHED SEEDS.

REQUIREMENT FOR REGULATORY COMPLIANCE:
MULCH OR TEMPORARY GRASSING SHALL BE APPLIED TO ALL EXPOSED AREAS WITHIN 14 DAYS OF DISTURBANCE. MULCH CAN BE USED AS A SINGLE EROSION CONTROL DEVICE FOR UP TO SIX MONTHS, BUT IT SHALL BE APPLIED AT THE APPROPRIATE DEPTH, DEPENDING ON THE MATERIAL USED, ANCHORED AND HAVE A CONTINUOUS 90% COVER OR GREATER OF THE SOIL SURFACE.

MAINTENANCE: SHALL BE REQUIRED TO MAINTAIN APPROPRIATE DEPTH AND 90% COVER. TEMPORARY VEGETATION MAY BE EMPLOYED INSTEAD OF MULCH IF THE AREA WILL REMAIN UNDISTURBED FOR LESS THAN SIX MONTHS.

IF ANY AREA WILL REMAIN UNDISTURBED FOR GREATER THAN SIX MONTHS, PERMANENT VEGETATIVE TECHNIQUES SHALL BE EMPLOYED. REFER TO DS2 - DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING), DS3 - DISTURBED AREA STABILIZATION (WITH PERMANENT SEEDING), AND DS4 - DISTURBED AREA STABILIZATION (WITH SEEDING).

SPECIFICATIONS:

- MULCHING WITHOUT SEEDING
- THIS STANDARD APPLIES TO GRADED OR CLEARED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDANT COVER, BUT CAN BE STABILIZED WITH A MULCH COVER.

SITE PREPARATION

1. GRADE TO PERMIT THE USE OF EQUIPMENT FOR APPLYING AND ANCHORING MULCH.
2. INSTALL NEEDED EROSION CONTROL MEASURES AS REQUIRED SUCH AS DIKES, DIVERSIONS, BERMS, TERRACES AND SEDIMENT BARRIERS.
3. LOOSEN COMPACT SOIL TO A MINIMUM DEPTH OF 3 INCHES.

MULCHING MATERIALS

SELECT ONE OF THE FOLLOWING MATERIALS AND APPLY AT THE DEPTH INDICATED:

1. DRY STRAW OR HAY SHALL BE APPLIED AT A DEPTH OF 2 TO 4 INCHES PROVIDING COMPLETE SOIL COVER-AGE. ONE ADVANTAGE OF THIS MATERIAL IS EASY APPLICATION.
2. WOOD WASTE (CHIPS, SAWDUST OR BARK) SHALL BE APPLIED AT A DEPTH OF 2 TO 3 INCHES. ORGANIC MATERIAL FROM THE CLEARING STAGE OF DEVELOPMENT SHOULD REMAIN ON SITE. BE CHIPPED, AND APPLIED AS MULCH. THIS METHOD OF MULCHING CAN GREATLY REDUCE EROSION CONTROL COSTS.
3. POLYETHYLENE FILM SHALL BE SECURED OVER BANKS OR STOCKPILED SOIL MATERIAL FOR TEMPORARY PROTECTION. THIS MATERIAL CAN BE SALVAGED AND RE-USED.

APPLYING MULCH

WHEN MULCH IS USED WITHOUT SEEDING, MULCH SHALL BE APPLIED TO PROVIDE FULL COVERAGE OF THE EXPOSED AREA.

1. DRY STRAW OR HAY MULCH AND WOOD CHIPS SHALL BE APPLIED UNIFORM BY HAND OR BY MECHANICAL EQUIPMENT.
2. IF THE AREA WILL EVENTUALLY BE COVERED WITH PERENNIAL VEGETATION, 20-30 POUNDS OF NITROGEN PER ACRE IN ADDITION TO THE NORMAL AMOUNT SHALL BE EMPLOYED TO OFFSET THE UPTAKE OF NITROGEN CAUSED BY THE DECOMPOSITION OF THE ORGANIC MULCHES.
3. APPLY POLYETHYLENE FILM ON EXPOSED AREAS.

ANCHORING MULCH

1. STRAW OR HAY MULCH CAN BE PRESSED INTO THE SOIL WITH A DISK HARROW WITH THE DISK SET STRAIGHT OR WITH A SPECIAL "PACKER" DISKS MAY BE SMOOTH OR SERRATED AND SHOULD BE 20 INCHES OR MORE IN DIAMETER AND 8 TO 12 INCHES APART. THE EDGES OF THE DISK SHOULD BE DULL ENOUGH NOT TO CUT THE MULCH BUT TO PRESS IT INTO THE SOIL, LEAVING MUCH OF IT IN AN ERECT POSITION. STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. STRAW OR HAY MULCH SPREAD WITH SPECIAL BLOWER-TYPE EQUIPMENT MAY BE SUBSTITUTED FOR EMULSIFIED ASPHALT. PLEASE REFER TO SPECIFICATION TAC-TACKLERS, PLASTIC MESH OR NETTING WITH MESH NO LARGER THAN ONE INCH BY ONE INCH SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
2. NETTING OF THE APPROPRIATE SIZE SHALL BE USED TO ANCHOR WOOD WASTE. OPENINGS OF THE NET-TING SHALL NOT BE LARGER THAN THE AVERAGE SIZE OF THE WOOD WASTE CHIPS.
3. POLYETHYLENE FILM SHALL BE ANCHOR TRENCHED AT THE TOP AS WELL AS INCREMENTALLY AS NECESSARY.

Ds2
DISTURBED AREA STABILIZATION
WITH TEMPORARY SEEDING
NOT TO SCALE

TEMPORARY GRASSING:
MULCH OR TEMPORARY GRASSING SHALL BE APPLIED TO ALL EXPOSED AREAS WITHIN 14 DAYS OF DISTURBANCE. TEMPORARY GRASSING, INSTEAD OF MULCH, CAN BE APPLIED TO ROUGH GRADED AREAS THAT WILL BE EXPOSED FOR LESS THAN SIX MONTHS. IF AN AREA IS EXPECTED TO BE UNDISTURBED FOR LONGER THAN SIX MONTHS, PERMANENT PERENNIAL VEGETATION SHALL BE USED. IF OPTIMUM PLANTING CONDITIONS FOR TEMPORARY GRASSING IS LACKING, MULCH CAN BE USED AS A SINGLE EROSION CONTROL DEVICE FOR UP TO SIX MONTHS BUT IT SHALL BE APPLIED AT THE APPROPRIATE DEPTH, ANCHORED, AND HAVE A CONTINUOUS 90% COVER OR GREATER OF THE SOIL SURFACE.

WHEN A HYDRAULIC SEEDER IS USED, SEEDBED PREPARATION IS NOT REQUIRED. WHEN SOIL HAS BEEN SEALED BY RAINFALL OR CONSISTS OF SMOOTH CUT SLOPES, THE SOIL SHALL BE PITTED, TRENCHED OR OTHERWISE SCARIFIED TO PROVIDE A PLACE FOR SEED TO LODGE AND GERMINATE.

APPLY AGRICULTURAL LIME AT A RATE OF 4000 LBS PER ACRE. GRADED AREA REQUIRE LIME APPLICATION. FOR SOILS WITH VERY LOW FERTILITY, 500 TO 700 POUNDS OF 10-10-10 FERTILIZER OR EQUIVALENT PER ACRE SHALL BE APPLIED. FERTILIZER SHOULD BE APPLIED BEFORE LAND PREPARATION AND INCORPORATED WITH A DISK, RIPPER OR CHISEL.

TEMPORARY COVER

SPECIES	PLANTING DATES	RATE	REMARK
ANNUAL RYEGRASS	JANUARY - MID APRIL AUGUST - DECEMBER	40 LB./AC	DENSE COVER DO NOT MIX
BROWNTOP MILLET	APRIL - MID JULY	40 LB./AC	QUICK, DENSE COVER
PEAL MILLET	MID APRIL - AUGUST	50 LB./AC	QUICK, DENSE COVER DO NOT MIX
RYE	MID AUGUST - DECEMBER	168 LB./AC	QUICK COVER DROUGHT TOLERANT

Ds2
DISTURBED AREA STABILIZATION
WITH TEMPORARY SEEDING
NOT TO SCALE

DEFINITION:
APPLYING PLANT RESIDUES OR OTHER SUITABLE MATERIALS, PRODUCED ON THE SITE IF POSSIBLE, TO THE SOIL SURFACE.

PURPOSE:

- TO REDUCE RUNOFF AND EROSION
- TO CONSERVE MOISTURE
- TO PREVENT SURFACE COMPACTION OR CRUSTING
- TO CONTROL UNDESIRABLE VEGETATION
- TO MODIFY SOIL TEMPERATURE
- TO INCREASE BIOLOGICAL ACTIVITY IN THE SOIL

REQUIREMENT FOR REGULATORY COMPLIANCE:
MULCH OR TEMPORARY GRASSING SHALL BE APPLIED TO ALL EXPOSED AREAS WITHIN 14 DAYS OF DISTURBANCE. MULCH CAN BE USED AS A SINGLE EROSION CONTROL DEVICE FOR UP TO SIX MONTHS, BUT IT SHALL BE APPLIED AT THE APPROPRIATE DEPTH, DEPENDING ON THE MATERIAL USED, ANCHORED AND HAVE A CONTINUOUS 90% COVER OR GREATER OF THE SOIL SURFACE.

MAINTENANCE: SHALL BE REQUIRED TO MAINTAIN APPROPRIATE DEPTH AND 90% COVER. TEMPORARY VEGETATION MAY BE EMPLOYED INSTEAD OF MULCH IF THE AREA WILL REMAIN UNDISTURBED FOR LESS THAN SIX MONTHS.

IF ANY AREA WILL REMAIN UNDISTURBED FOR GREATER THAN SIX MONTHS, PERMANENT VEGETATIVE TECHNIQUES SHALL BE EMPLOYED. REFER TO DS2 - DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING), DS3 - DISTURBED AREA STABILIZATION (WITH PERMANENT SEEDING), AND DS4 - DISTURBED AREA STABILIZATION (WITH SEEDING).

SPECIFICATIONS:

- MULCHING WITHOUT SEEDING
- THIS STANDARD APPLIES TO GRADED OR CLEARED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDANT COVER, BUT CAN BE STABILIZED WITH A MULCH COVER.

SITE PREPARATION

1. GRADE TO PERMIT THE USE OF EQUIPMENT FOR APPLYING AND ANCHORING MULCH.
2. INSTALL NEEDED EROSION CONTROL MEASURES AS REQUIRED SUCH AS DIKES, DIVERSIONS, BERMS, TERRACES AND SEDIMENT BARRIERS.
3. LOOSEN COMPACT SOIL TO A MINIMUM DEPTH OF 3 INCHES.

MULCHING MATERIALS

SELECT ONE OF THE FOLLOWING MATERIALS AND APPLY AT THE DEPTH INDICATED:

1. DRY STRAW OR HAY SHALL BE APPLIED AT A DEPTH OF 2 TO 4 INCHES PROVIDING COMPLETE SOIL COVER-AGE. ONE ADVANTAGE OF THIS MATERIAL IS EASY APPLICATION.
2. WOOD WASTE (CHIPS, SAWDUST OR BARK) SHALL BE APPLIED AT A DEPTH OF 2 TO 3 INCHES. ORGANIC MATERIAL FROM THE CLEARING STAGE OF DEVELOPMENT SHOULD REMAIN ON SITE. BE CHIPPED, AND APPLIED AS MULCH. THIS METHOD OF MULCHING CAN GREATLY REDUCE EROSION CONTROL COSTS.
3. POLYETHYLENE FILM SHALL BE SECURED OVER BANKS OR STOCKPILED SOIL MATERIAL FOR TEMPORARY PROTECTION. THIS MATERIAL CAN BE SALVAGED AND RE-USED.

APPLYING MULCH

WHEN MULCH IS USED WITHOUT SEEDING, MULCH SHALL BE APPLIED TO PROVIDE FULL COVERAGE OF THE EXPOSED AREA.

1. DRY STRAW OR HAY MULCH AND WOOD CHIPS SHALL BE APPLIED UNIFORM BY HAND OR BY MECHANICAL EQUIPMENT.
2. IF THE AREA WILL EVENTUALLY BE COVERED WITH PERENNIAL VEGETATION, 20-30 POUNDS OF NITROGEN PER ACRE IN ADDITION TO THE NORMAL AMOUNT SHALL BE EMPLOYED TO OFFSET THE UPTAKE OF NITROGEN CAUSED BY THE DECOMPOSITION OF THE ORGANIC MULCHES.
3. APPLY POLYETHYLENE FILM ON EXPOSED AREAS.

ANCHORING MULCH

1. STRAW OR HAY MULCH CAN BE PRESSED INTO THE SOIL WITH A DISK HARROW WITH THE DISK SET STRAIGHT OR WITH A SPECIAL "PACKER" DISKS MAY BE SMOOTH OR SERRATED AND SHOULD BE 20 INCHES OR MORE IN DIAMETER AND 8 TO 12 INCHES APART. THE EDGES OF THE DISK SHOULD BE DULL ENOUGH NOT TO CUT THE MULCH BUT TO PRESS IT INTO THE SOIL, LEAVING MUCH OF IT IN AN ERECT POSITION. STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. STRAW OR HAY MULCH SPREAD WITH SPECIAL BLOWER-TYPE EQUIPMENT MAY BE SUBSTITUTED FOR EMULSIFIED ASPHALT. PLEASE REFER TO SPECIFICATION TAC-TACKLERS, PLASTIC MESH OR NETTING WITH MESH NO LARGER THAN ONE INCH BY ONE INCH SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
2. NETTING OF THE APPROPRIATE SIZE SHALL BE USED TO ANCHOR WOOD WASTE. OPENINGS OF THE NET-TING SHALL NOT BE LARGER THAN THE AVERAGE SIZE OF THE WOOD WASTE CHIPS.
3. POLYETHYLENE FILM SHALL BE ANCHOR TRENCHED AT THE TOP AS WELL AS INCREMENTALLY AS NECESSARY.

Ds1
DISTURBED AREA STABILIZATION
WITH MULCHING ONLY
NOT TO SCALE

NO.	REVISIONS	BY	DATE

THOMAS & HUTTON

5074 Bristol Industrial Way • Suite A
Buford, GA 30518 • 770-271-2868
www.thomasandhutton.com

EROSION CONTROL - INTERMEDIATE PHASE

4303 PLEASANTDALE RD

PROJECT LOCATION:
4303 PLEASANTDALE RD
ATLANTA, GEORGIA 30340

CLIENT/OWNER:
METRO GREEN, LLC
4351 PLEASANTDALE ROAD
ATLANTA, GA 30340
MITCHELL STEPHENS
(770) 361-8258
MDS@MITCHELLDSTEPHENS.COM

DATUM: HORIZ: VERT:

JOB NO: 31481.0000

DATE:

DRAWN:

DESIGNED:

REVIEWED:

APPROVED:

SCALE:

EC1.4

ATTACHMENT III
USACE Documentation



SAS APPENDIX 1: Request for Corps of Engineers Jurisdictional Determination (JD) and/or Delineation Review

I. Reason for request: (check as many as applicable)

I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all aquatic resources.

I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all jurisdictional aquatic resources under Corps authority.

I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.

I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.

I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.

A Corps JD is required in order to obtain my local/state authorization.

I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.

I believe that the site may be comprised entirely of dry land.

Other: _____

II. I am requesting that the U.S. Army Corps of Engineers, Savannah District, provide me with the following:

Delineation Review of Aquatic Resources - Concurrence with an aquatic resource delineation is a written notification from the Corps concurring, not concurring, or commenting on the aquatic resource boundaries, or limits, delineated on a property.

Preliminary Jurisdictional Determination - (PJD). A PJD is defined in Corps regulations at 33 CFR 331.2, as "written indications that there may be waters of the United States on a parcel". When the Corps provides a PJD, the Corps is making no legally binding determination of any type regarding whether jurisdiction exists over the particular aquatic resource in question.

Approved Jurisdictional Determination - (AJD) An AJD is defined in Corps regulations at 33 CFR 331.2. A definitive, official determination that there are, or that there are not, jurisdictional aquatic resources on a parcel.

I am unclear as to what I would like to request and require additional information to inform my decision.

III. Property/Owner Information. Please complete ALL of the following information for the property under review:

SECTION 1

Parcel Number of Property:		
Lat.	Long. -	(in decimal degrees)
Parcel Address:		
Parcel City :	Parcel County:	Zip:
Size of Review Area:	Acre(s)	Linear feet

SECTION 2

LANDOWNER NAME		AUTHORIZED AGENT'S NAME	
First:		First:	
Last:		Last:	
Company:		Company:	
Email Address:		Email Address:	
Address:		Address:	
City:		City:	
State:	Zip:	State:	Zip:
Phone:		Phone:	

PROPERTY ACCESS PERMISSION, AKNOWLEDGEMENT OF 18 U.S.C. SECTION 1001 AND STATEMENT OF AGENT AUTHORIZATION

Initial ONLY One:

____ By signing below, I certify that I am the owner of record of the property referenced in III, Section 1 above, and I hereby authorize representatives of the U.S. Army Corps of Engineers, Savannah District, to enter the property for purposes of conducting on-site inspections, and issuing an aquatic resource delineation concurrence and/or a jurisdictional determination. My signature shall also be an affirmation that I possess the requisite property rights to request a delineation review and/or a jurisdictional determination on the property referenced in III - Section 1. Further, I authorize the agent in III - Section 2, to act on my behalf in the processing of this request and to furnish supplemental information in support of this request.

____ By signing below, I certify that I am acting as the duly authorized agent of the owner of record of the property referenced in III, Section 1 above, and have been given the authority to: 1) request a delineation review and/or a jurisdictional determination (JD) on the property referenced in III - Section 1, and 2) authorize representatives of the U.S. Army Corps of Engineers, Savannah District, to enter the property for purposes of conducting on-site inspections, and issuing an aquatic resource delineation concurrence and/or a jurisdictional determination. I understand that I may be required to provide documentary evidence of my authority to request a delineation review and/or JD, and/or to grant Corps of Engineers personnel access to the property.

Please Print Name Legibly: _____

Signature _____

Date: _____

* Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Program of the U.S. Army Corps of Engineers; Final Rule for 33 CFR Parts 320-332.

Principal Purpose: The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the project area subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in the approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure: Submission of requested information is voluntary; however, if information is not provided, the request for an AJD cannot be evaluated nor can an AJD be issued.

Table 1. Site Stream and Wetland Site Features Information for 4303 Pleasantdale Road located in Land Lot 318 of the 18th District, Dekalb County, Georgia & Land Lot 220 of the 6th District, Gwinnett County, Georgia (Tax Parcel ID #: R6220 030 (DeKalb County) & ID #: 18 318 06 007 (Gwinnett County)). Gaia Project No. 2024-13.

Site Feature Name	Latitude ¹	Longitude ¹	Cowardin Class	Square Footage (SF)	Acreage (AC)	Linear Footage (LF)	Resource Class	Proposed USACE Regulatory Status
Wetland A	33.91190°	-84.24319°	PFO1E ²	4,704.48	0.108	-	non-Section 10 - wetland	Section 404 - flat/depressional wetland
UT 1	33.91138°	-84.24371°	R4SB4567 ³	2,657.16	0.061	-	non-Section 10 - wetland	Section 404 - flat/depressional wetland
			TOTAL WETLAND (SF/AC)	7,361.64	0.169	-		

NOTES:

¹ Latitude and Longitude indicate approximate center coordinates of site feature.

² PFO1E indicates a Cowardin Classification of palustrine (P), forested (FO), broad-leaved deciduous (1), seasonally flooded/ saturated (E) wetland.

³ R4SB4567 indicates a Cowardin Classification of riverine (R), intermittent (4), streambed (SB) with a sand (4), mud (5), organic (6) and vegetated (7) stream bed.

Qualitative Worksheet Summary For Stream Adverse Impacts						
Worksheet Number	Name of Stream	Stream Type	Length of Impact (L.F.)	Impact Duration	2018 Credits	Legacy Credits
1	UT 1	Non-Perennial Streams	421	Permanent/Reoccurring	315.75	2273.40
2				Choose Duration	Credits Owed	Legacy Credits Owed
3				Choose Duration	Credits Owed	Legacy Credits Owed
4				Choose Duration	Credits Owed	Legacy Credits Owed
5				Choose Duration	Credits Owed	Legacy Credits Owed
6				Choose Duration	Credits Owed	Legacy Credits Owed
7				Choose Duration	Credits Owed	Legacy Credits Owed
8				Choose Duration	Credits Owed	Legacy Credits Owed
9				Choose Duration	Credits Owed	Legacy Credits Owed
10				Choose Duration	Credits Owed	Legacy Credits Owed
Summary of Credits Owed						
Stream Type	Length of Impact (L.F.)	2018 Credits	Legacy Credits			
Non-Perennial Streams	421	315.75	2273.40			
Perennial Streams (less than 3 square miles)		0.00	0.00			
Perennial Streams (greater than 3 square miles)		0.00	0.00			
Open Water/Ditch/Canal		0.00	0.00			

Worksheet 1: Qualitative Worksheet for Stream Adverse Impacts

Project Name:	4303 Pleasantdale Road
Impact Reach Name:	UT 1
Linear Feet of Impact (<i>Feet</i>):	421
Stream Type:	Non-Perennial Streams
Non-Perennial Flow Regime:	Intermittent
Date:	October 18, 2023

Impact Factors

	<u>Index Description</u>	<u>Index Value</u>
1. Stream Qualitative Functional Capacity Score (<i>SQFC</i>)	Moderate	0.75
2. Type of Impact (<i>Impact</i>)	Discharge of Fill (Including Culverts)	1.00
3. Product of SQFC and Impact (<i>SQFC Impact</i>) =		0.75
4. Duration of Impact (<i>Duration</i>)	Permanent/Reoccurring	1.00
5. Product of SQFC Impact and Duration (<i>Total SQFC Impact</i>) =		0.75
6. Product of Total SQFC Impact and Linear Feet (<i>Total 2018 Stream Credits Owed</i>) ¹ =		315.75
7. Conversion of Total 2018 Stream Credits to Legacy Credits (<i>Legacy Stream Credits Owed</i>) ^{2,3} =		2,273.40

Green Cells = User must manually input information.
 Orange Cells = User must select the index choice from the drop-down list.
 Grey Cells = The calculation of these cells is automated.

¹Total 2018 Stream Credits Owed are prorated to 50% for Non-Perennial Streams with Ephemeral Flow.
²Legacy Stream Credits Owed are prorated to 60% for Non-Perennial Streams with Intermittent Flow.
³Legacy Stream Credits Owed are prorated to 60% for Non-Perennial Streams with Ephemeral Flow.

PIEDMONT / RIDGE & VALLEY / BLUE RIDGE QUALITATIVE STREAM ASSESSMENT

Project Name:	4303 Pleasantdale Road		
Impact Reach Name:	UT 1		
Stream Type:	Perennial (< 3 Sq. Miles)		
Catchment Size (in Acres):	0.75	Sq. Mi.:	0.00
SAR Center Coordinates:	33.9099592, -084.2449243°		
Date:	10/18/2023		

Hydrology - 1

Value	Questions
No	The surface and groundwater hydrology of the assessment reach are free of upstream catchment impairments (e.g., diversions, stormwater management structures, wastewater facilities, agricultural ditches)? (Y/N)
No	Is the contributing drainage basin of the assessment reach at least 50 percent forested? (Y/N)
FUNCTION SCORE	Low

Hydraulics - 2

Value	Questions
No	Is the assessment reach connected to it's floodplain at bankfull event? (Y/N)
Yes	Are there headcuts in the assessment reach? (Y/N)
Yes	Has the assessment reach been previously straightened? (Y/N)
FUNCTION SCORE	Low

Geomorphology - 3

Value	Questions
Yes	Does the assessment reach have bedform diversity (i.e., the presence of riffle/pool or step/pool complexes)? (Y/N)
No	Is there high bank erosion present throughout the assessment reach? (Y/N)
No	Is there large woody debris (LWD) in the assessment reach? (Y/N)
No	Are riffles/runs in the assessment reach comprised of coarse material (i.e., gravel or larger)? (Y/N)
No	Is there a woody riparian buffer (i.e., 25 feet in width) adjacent to both sides of the assessment reach? (Y/N)
FUNCTION SCORE	Low

Chemistry - 4

Value	Questions
No	Is the contributing drainage basin of the assessment reach at least 50 percent of the forested? (Y/N)
No	Is the assessment reach designated as an impaired water on the most recent 303(D)/305(b) list?
FUNCTION SCORE	Moderate

Biology - 5

Value	Questions
Yes	Is there habitat diversity in the assessment reach (i.e., at least 3 of the following habitats: riffles, pools, steps, overhangs, leaf packs, woody debris)?
No	Is the contributing drainage basin of the assessment reach at least 50 percent of the forested? (Y/N)
SUM	Moderate

STREAM QUALITATIVE FUNCTIONAL CAPACITY SCORE	Low
---	------------

Legend

- Green Cell = User must manually input information.
- Orange Cells = User must select the index choice from the drop-down list.
- Grey Cells = The calculation of these cells is automated.
- Dark Grey Cells = These cells do not require input. The corresponding index value is populated from the user input to a previous question.



Richard E. Dunn, Director

EPD Director's Office

2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

December 15, 2020

Colonel Daniel Hibner
Commander
U.S. Army Corps of Engineers
Savannah District
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3640

Re: Water Quality Certification
2020 Reauthorization of Nationwide Permits
Statewide

Dear Colonel Hibner:

In accordance with Section 401 of the Federal Clean Water Act, 33 U.S.C. § 1341, the State of Georgia has evaluated the 2020 Nationwide Permits submitted by the U.S. Army Corps of Engineers, an applicant for a federal permit or license related to proposed activity in, on, or adjacent to the waters of the State of Georgia.

The State has examined the information regarding the 2020 Nationwide Permits provided to it by Corps Savannah District Regulatory Program. In accordance with that information, the State of Georgia issues this Section 401 certification to U.S. Army Corps of Engineers. This Section 401 water quality certification is subject to the following terms and conditions:

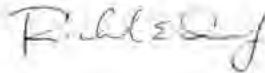
1. To assure compliance with State water quality standards, the relevant Nationwide Permit applicant shall conduct all activities in a manner that will assure water quality adequate or necessary to protect and maintain designated uses. 33 U.S.C. § 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2),(6),(9),(15); Ga. Comp. R. and Regs. 391-3-6-.03(2)(i), (ii).
 - a. To prevent or avoid degradation of water quality downstream, the relevant Nationwide Permit applicant shall install in-water Best Management Practices (BMPs) to the extent practical and feasible, to minimize total suspended solids (TSS) and sedimentation for any work conducted within a state water or within the delineated boundaries of wetlands. 33 U.S.C. § 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); O.C.G.A. §§ 12-7-6 to 7; Ga. Comp. R. and Regs. 391-3-6-.03(5).
 - b. In order to prevent or avoid violations of state water quality standards, the relevant Nationwide Permit applicant must ensure that any fill placed in state waters must be clean fill that is free of solid waste, toxic, or hazardous contaminants. 33 U.S.C. §§ 1311; 1313(a)-(d); O.C.G.A. § 12-5-23(c)(2), (6), (9), (15); O.C.G.A. § 12-5-29(a); Ga. Comp. R. and Regs. 391-3-6-.03(5), (6), (11), (14)-(16).

2. To ensure that other pertinent and appropriate State permissions are obtained, for bank stabilization projects conducted under NWP 13 or NWP 54, particularly those that involve work in state buffers, Nationwide Permit applicants should consult Georgia EPD's Streambank and Shoreline Stabilization Guidance, available at <https://epd.georgia.gov/watershed-protection-branch/erosion-and-sedimentation> and, as necessary, apply for and abide by the terms of any applicable Georgia stream buffer variance. 33 U.S.C. §§ 1311; 1313(a)-(d); O.C.G.A. § 12-7-6; Ga. Comp. R. and Regs. 391-3-7-.05.

This certification does not waive any other permit or other legal requirement applicable to this project or relieve the applicant of any obligation or responsibility for complying with the provisions of any other federal, state, or local laws, ordinances, or regulations.

It is your responsibility to submit this certification to the appropriate federal agency. If you have any questions regarding this certification, please contact Stephen Wiedl at Stephen.Wiedl@dnr.ga.gov/404-651-8459.

Sincerely,



Richard E. Dunn, Director
Environmental Protection Division

cc: Mr. Sarah Wise, Corps
Mr. Eric Somerville, EPA
Mr. Bill Wikoff, FWS
Ms. Kelie Moore, CRD

ATTACHMENT IV
USFWS Official Species List



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Georgia Ecological Services Field Office
355 East Hancock Avenue
Room 320
Athens, GA 30601-2523
Phone: (706) 460-7161 Fax: (706) 613-6059

In Reply Refer To:
Project Code: 2024-0065445
Project Name: 4303 Pleasantdale Road

06/26/2024 15:07:20 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Thank you for requesting information on federally listed species and important wildlife habitats that may occur in your project area. The U.S. Fish and Wildlife Service (Service) has responsibility for certain species of wildlife under the Endangered Species Act (ESA) of 1973 as amended (16 USC 1531 et seq.), the Migratory Bird Treaty Act as amended (16 USC 701-715), Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Bald and Golden Eagle Protection Act as amended (16 USC 668-668c). We provide the following guidance for determining which federally imperiled species may occur within your project area and to recommend conservation measures to consider for your project if you determine those species or designated critical habitats may be affected by the project activities.

FEDERALLY-LISTED SPECIES AND DESIGNATED CRITICAL HABITAT

Attached is a list of endangered, threatened, and proposed species that may occur in your project area. Your project area may not necessarily include all or any of these species. Under the ESA, it is the responsibility of the Federal action agency, their designated non-Federal representative, or a project proponent to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service, to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally listed threatened or endangered fish or wildlife species without the appropriate permit. If you need additional guidance to inform your effect determination, please contact the Service.

If you determine that your proposed action may affect federally listed species, please consult with the Service. Through the consultation (for projects seeking Federal funding or permitting) or technical assistance (for non-Federal projects) process, we will work with you to evaluate information contained in a biological assessment or equivalent documents that you provide. If your proposed action is associated with Federal funding or permitting, consultation will occur with the Federal agency under section 7(a)(2) of the ESA. Otherwise, an incidental take permit pursuant to section 10(a) (1)(B) of the ESA (also known as a Habitat Conservation Plan) may be necessary to exempt "take" of federally listed threatened or endangered fish or wildlife species when it cannot be avoided. For more information regarding formal consultation and HCPs, please see the Service's [Section 7 Consultation Library](#) and [Habitat Conservation Plans Library](#).

Action Area. The scope of ESA compliance includes direct and indirect effects of project activities (e.g., equipment staging areas, offsite borrow material areas, or utility relocations). The "action area" is the spatial extent of an action's direct and indirect modifications or impacts to the land, water, or air (50 CFR 402.02). Large projects may have effects to land, water, or air outside the immediate footprint of the project, and these areas should be included as part of the action area. Effects to land, water, or air outside of a project footprint could include things like lighting, dust, smoke, and noise. To obtain a complete list of species, the action area should be uploaded or drawn in IPaC rather than just the project footprint. Please note that a lead federal agency may consider an action area that excludes portions of the project footprint. In these cases, further coordination with our office may be required to ensure compliance with the ESA. It is the responsibility of the project proponent to coordinate with the lead federal agency to understand the action and action area being reviewed as part of ESA Section 7 consultation.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. An updated list may be requested through IPaC.

HOW TO SUBMIT A PROJECT REVIEW PACKAGE

IF YOUR ACTION MAY AFFECT ANY FEDERALLY LISTED SPECIES AND YOU WOULD LIKE TECHNICAL ASSISTANCE FROM OUR OFFICE, PLEASE SEND US A COMPLETE PROJECT REVIEW PACKAGE. A STEP-BY-STEP GUIDE IS AVAILABLE BELOW AND SUPPLEMENTAL GUIDANCE IS AVAILABLE AT THE GEORGIA ECOLOGICAL SERVICES [PROJECT PLANNING AND REVIEW](https://www.fws.gov/office/georgia-ecological-services/project-planning-review) PAGE ([HTTPS://WWW.FWS.GOV/OFFICE/GEORGIA-ECOLOGICAL-SERVICES/PROJECT-PLANNING-REVIEW](https://www.fws.gov/office/georgia-ecological-services/project-planning-review)).

REQUESTS FOR THREATENED AND ENDANGERED SPECIES PROJECT REVIEWS MUST BE SUBMITTED TO OUR OFFICE USING THE PROCESS DESCRIBED BELOW. ALL STEPS MUST BE COMPLETED TO ENSURE YOUR

PROJECT IS REVIEWED BY A BIOLOGIST IN OUR OFFICE AND YOU RECEIVE A TIMELY RESPONSE.

STEP 1. REQUEST AN OFFICIAL SPECIES LIST FOR YOUR PROJECT THROUGH IPAC. YOU HAVE JUST COMPLETED THIS STEP.

STEP 2. COMPLETE APPLICABLE DETERMINATION KEYS (DKEY'S, FOR SHORT)

STEP 3. SEND YOUR COMPLETE PROJECT REVIEW PACKAGE TO GAES_ASSISTANCE@FWS.GOV FOR REVIEW IF NO DKEY IS APPLICABLE OR CERTAIN PROJECT COMPONENTS HAVE NOT BEEN ADDRESSED (I.E. A SPECIES RETURNED BY IPAC DOES NOT HAVE A DKEY). A COMPLETE PROJECT REVIEW PACKAGE SHOULD INCLUDE:

- 1. A DESCRIPTION OF THE PROPOSED ACTION, INCLUDING ANY MEASURES INTENDED TO AVOID, MINIMIZE, OR OFFSET EFFECTS OF THE ACTION. THE DESCRIPTION SHALL PROVIDE SUFFICIENT DETAIL TO ASSESS THE EFFECTS OF THE ACTION ON LISTED SPECIES AND CRITICAL HABITAT, SUCH AS THE PURPOSE OF THE ACTION; DURATION AND TIMING OF THE ACTION; LOCATION (LATITUDE AND LONGITUDE); SPECIFIC ACTIVITIES INVOLVING DISTURBANCE TO LAND, WATER, AND AIR, AND HOW THEY WILL BE CARRIED OUT; CURRENT DESCRIPTION OF AREAS TO BE AFFECTED DIRECTLY OR INDIRECTLY BY THE ACTION; AND MAPS, DRAWINGS, OR SIMILAR SCHEMATICS OF THE ACTION. PLEASE SUBMIT ALL AREAS OF A PROJECT AS ONE SINGLE SUBMISSION AND DO NOT SEPARATE INTO SMALLER COMPONENTS/SUBMISSIONS.**
- 2. AN UPDATED OFFICIAL SPECIES LIST AND DETERMINATION KEY RESULTS**
- 3. BIOLOGICAL ASSESSMENTS (MAY INCLUDE HABITAT ASSESSMENTS AND INFORMATION ON THE PRESENCE OF LISTED SPECIES IN THE ACTION AREA);**
- 4. DESCRIPTION OF EFFECTS OF THE ACTION ON SPECIES IN THE ACTION AREA AND, IF RELEVANT, EFFECT DETERMINATIONS FOR SPECIES AND CRITICAL HABITAT;**
- 5. CONSERVATION MEASURES AND ANY OTHER AVAILABLE INFORMATION RELATED TO THE NATURE AND SCOPE OF THE PROPOSED ACTION RELEVANT TO ITS EFFECTS ON LISTED SPECIES OR DESIGNATED CRITICAL HABITAT (E.G., MANAGEMENT PLANS RELATED TO STORMWATER, VEGETATION, EROSION AND SEDIMENT PLANS). VISIT THE [GEORGIA CONSERVATION PLANNING TOOLBOX \(HTTPS://WWW.FWS.GOV/STORY/CONSERVATION-TOOLS-GEORGIA\)](https://www.fws.gov/story/conservation-tools-georgia) FOR INFORMATION ABOUT CONSERVATION MEASURES.**

6. **IN THE EMAIL SUBJECT LINE, USE THE FOLLOWING FORMAT TO INCLUDE THE PROJECT CODE FROM YOUR IPAC SPECIES LIST AND THE COUNTY IN WHICH THE PROJECT IS LOCATED (EXAMPLE: PROJECT CODE: 2023-0049730 GWINNETT CO.). FOR GEORGIA DEPARTMENT OF TRANSPORTATION RELATED PROJECTS, PLEASE WORK WITH THE OFFICE OF ENVIRONMENTAL SERVICES ECOLOGIST TO DETERMINE THE APPROPRIATE USFWS TRANSPORTATION LIAISON.**

THE GEORGIA ECOLOGICAL SERVICES FIELD OFFICE WILL SEND A RESPONSE EMAIL WITHIN APPROXIMATELY 30 DAYS OF RECEIPT WITH TECHNICAL ASSISTANCE OR FURTHER RECOMMENDATIONS FOR SPECIFIC SPECIES.

WETLANDS AND FLOODPLAINS

UNDER EXECUTIVE ORDERS 11988 AND 11990, FEDERAL AGENCIES ARE REQUIRED TO MINIMIZE THE DESTRUCTION, LOSS, OR DEGRADATION OF WETLANDS AND FLOODPLAINS, AND PRESERVE AND ENHANCE THEIR NATURAL AND BENEFICIAL VALUES. THESE HABITATS SHOULD BE CONSERVED THROUGH AVOIDANCE, OR MITIGATED TO ENSURE THAT THERE WOULD BE NO NET LOSS OF WETLANDS FUNCTION AND VALUE. WE ENCOURAGE YOU TO USE THE NATIONAL WETLAND INVENTORY (NWI) MAPS IN CONJUNCTION WITH GROUND-TRUTHING TO IDENTIFY WETLANDS OCCURRING IN YOUR PROJECT AREA. THE SERVICE'S [NWI PROGRAM WEBSITE \(HTTPS://WWW.FWS.GOV/PROGRAM/NATIONAL-WETLANDS-INVENTORY\)](https://www.fws.gov/program/national-wetlands-inventory) INTEGRATES DIGITAL MAP DATA WITH OTHER RESOURCE INFORMATION. WE ALSO RECOMMEND YOU CONTACT THE U.S. ARMY CORPS OF ENGINEERS FOR PERMITTING REQUIREMENTS UNDER SECTION 404 OF THE CLEAN WATER ACT IF YOUR PROPOSED ACTION COULD IMPACT FLOODPLAINS OR WETLANDS.

MIGRATORY BIRDS

THE MBTA PROHIBITS THE TAKING OF MIGRATORY BIRDS, NESTS, AND EGGS, EXCEPT AS PERMITTED BY THE SERVICE'S [MIGRATORY BIRDS PROGRAM \(HTTPS://FWS.GOV/PROGRAM/MIGRATORY-BIRDS\)](https://fws.gov/program/migratory-birds). TO MINIMIZE THE LIKELIHOOD OF ADVERSE IMPACTS TO MIGRATORY BIRDS, WE RECOMMEND CONSTRUCTION ACTIVITIES OCCUR OUTSIDE THE GENERAL BIRD NESTING SEASON FROM MARCH THROUGH AUGUST, OR THAT AREAS PROPOSED FOR CONSTRUCTION DURING THE NESTING SEASON BE SURVEYED, AND WHEN OCCUPIED, AVOIDED UNTIL THE YOUNG HAVE FLEDGED.

WE RECOMMEND REVIEW OF BIRDS OF CONSERVATION CONCERN TO FULLY EVALUATE THE EFFECTS TO THE BIRDS AT YOUR SITE. THIS LIST IDENTIFIES BIRDS THAT ARE POTENTIALLY THREATENED BY DISTURBANCE AND CONSTRUCTION. IT CAN BE FOUND AT THE SERVICE'S [MIGRATORY BIRDS](#)

[CONSERVATION LIBRARY COLLECTION \(HTTPS://FWS.GOV/LIBRARY/ COLLECTIONS/MIGRATORY-BIRD-CONSERVATION-DOCUMENTS\)](https://fws.gov/library/collections/migratory-bird-conservation-documents).

INFORMATION RELATED TO BEST PRACTICES AND MIGRATORY BIRDS CAN BE FOUND AT THE SERVICE'S **[AVOIDING AND MINIMIZING INCIDENTAL TAKE OF MIGRATORY BIRDS LIBRARY COLLECTION \(HTTPS://FWS.GOV/LIBRARY/ COLLECTIONS/AVOIDING-AND-MINIMIZING-INCIDENTAL-TAKE-MIGRATORY-BIRDS\)](https://fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds)**.

BALD AND GOLDEN EAGLES

THE BALD EAGLE (*HALIAEETUS LEUCOCEPHALUS*) WAS DELISTED UNDER THE ESA ON AUGUST 9, 2007. BOTH THE BALD EAGLE AND GOLDEN EAGLE (*AQUILA CHRYSÆTOS*) ARE STILL PROTECTED UNDER THE MIGRATORY BIRD TREATY ACT (MBTA) AND BALD AND GOLDEN EAGLE PROTECTION ACT (BGEPA). THE BGEPA AFFORDS BOTH EAGLES PROTECTION IN ADDITION TO THAT PROVIDED BY THE MBTA, IN PARTICULAR, BY MAKING IT UNLAWFUL TO “DISTURB” EAGLES. UNDER THE BGEPA, THE SERVICE MAY ISSUE LIMITED PERMITS TO INCIDENTALLY “TAKE” EAGLES (E.G., INJURY, INTERFERING WITH NORMAL BREEDING, FEEDING, OR SHELTERING BEHAVIOR NEST ABANDONMENT). FOR INFORMATION ON BALD AND GOLDEN EAGLE MANAGEMENT GUIDELINES, WE RECOMMEND YOU REVIEW INFORMATION PROVIDED AT THE SERVICE'S **[BALD AND GOLDEN EAGLE MANAGEMENT LIBRARY COLLECTION](#)**.

NATIVE BATS

IF YOUR SPECIES LIST INCLUDES INDIANA BAT (*MYOTIS SODALIS*), NORTHERN LONG-EARED BAT (*M. SEPTENTRIONALIS*), OR TRICOLORED BAT (*PERIMYOTIS SUBFLAVUS*) AND THE PROJECT IS EXPECTED TO IMPACT FORESTED HABITAT, TREE CLEARING SHOULD OCCUR OUTSIDE OF THE PERIODS WHEN BATS MAY BE PRESENT AND MOST VULNERABLE. FEDERALLY LISTED BATS COULD BE ACTIVELY PRESENT IN FORESTED LANDSCAPES FROM SPRING THROUGH FALL OF ANY YEAR. IN MUCH OF GEORGIA, OUR WINTERS ARE MILD ENOUGH THAT TRICOLORED BATS ARE LIKELY ACTIVE ON THE LANDSCAPE TO SOME EXTENT YEAR-ROUND. PUPS ARE INCAPABLE OF FLIGHT AND VULNERABLE TO DISTURBANCE FROM THE SPRING TO SUMMER. OUR RECOMMENDED SEASONAL CLEARING RESTRICTION WINDOWS DEPEND ON SPECIES AND REGION IN GEORGIA. PLEASE REACH OUT TO US FOR GUIDANCE.

INDIANA, NORTHERN LONG-EARED, TRICOLORED, AND GRAY (*M. GRISESCENS*) BATS ARE ALL KNOWN TO UTILIZE BRIDGES AND CULVERTS IN GEORGIA. IF YOUR PROJECT INCLUDES MAINTENANCE, CONSTRUCTION, OR ANY OTHER MODIFICATION OR DEMOLITION TO TRANSPORTATION STRUCTURES, A QUALIFIED INDIVIDUAL SHOULD COMPLETE A SURVEY OF THESE STRUCTURES FOR BATS AND SUBMIT YOUR FINDINGS VIA THE

“GADNR BATS IN BRIDGES” FORM IN THE SURVEY123 APP, FREE ON APPLE AND ANDROID DEVICES. PLEASE INCLUDE THESE FINDINGS IN ANY BIOLOGICAL ASSESSMENT(S) OR OTHER DOCUMENTATION THAT IS SUBMITTED TO OUR OFFICE FOR TECHNICAL ASSISTANCE OR CONSULTATION.

ADDITIONAL INFORMATION CAN BE FOUND AT GEORGIA ECOLOGICAL SERVICES' [CONSERVATION PLANNING TOOLBOX](#) AND [BAT CONSERVATION IN GEORGIA](#) PAGES.

MONARCH BUTTERFLY

ON DECEMBER 20, 2020, THE SERVICE DETERMINED THAT LISTING THE MONARCH BUTTERFLY (*DANAUS PLEXIPPUS*) UNDER THE ENDANGERED SPECIES ACT IS WARRANTED BUT PRECLUDED AT THIS TIME BY HIGHER PRIORITY LISTING ACTIONS. WITH THIS FINDING, THE MONARCH BUTTERFLY BECOMES A CANDIDATE FOR LISTING. THE SERVICE WILL REVIEW ITS STATUS EACH YEAR UNTIL WE ARE ABLE TO BEGIN DEVELOPING A PROPOSAL TO LIST THE MONARCH.

AS IT IS A CANDIDATE FOR LISTING, THE SERVICE WELCOMES CONSERVATION MEASURES FOR THIS SPECIES. RECOMMENDED, AND VOLUNTARY, CONSERVATION MEASURES FOR PROJECTS IN GEORGIA CAN BE FOUND AT THE [MONARCH CONSERVATION IN GEORGIA](#) PAGE.

EASTERN INDIGO SNAKE

OUR OFFICE HAS PUBLISHED GUIDANCE DOCUMENTS TO ASSIST PROJECT PROPONENTS IN AVOIDING AND MINIMIZING POTENTIAL IMPACT TO THE EASTERN INDIGO SNAKE. THE [VISUAL ENCOUNTER SURVEY PROTOCOL FOR THE EASTERN INDIGO SNAKE \(*DRYMARCHON COUPERI*\) IN GEORGIA](#) IS RECOMMENDED FOR PROJECT PROPONENTS OR THEIR DESIGNEES TO EVALUATE THE POSSIBLE PRESENCE OF THE EASTERN INDIGO SNAKE AT A PROPOSED PROJECT SITE. THE [STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE \(*DRYMARCHON COUPERI*\)](#) INCLUDE EDUCATIONAL MATERIALS AND TRAINING THAT CAN HELP PROTECT THE SPECIES BY MAKING STAFF WORKING ON A PROJECT SITE AWARE OF THEIR PRESENCE AND TRAITS. IN GEORGIA, INDIGO SNAKES ARE CLOSELY ASSOCIATED WITH THE STATE-LISTED GOPHER TORTOISE (*GOPHERUS POLYPHEMUS*), A REPTILE THAT EXCAVATES EXTENSIVE UNDERGROUND BURROWS THAT PROVIDE THE SNAKE SHELTER FROM WINTER COLD AND SUMMER DESICCATION.

SOLAR ENERGY DEVELOPMENT

THE [RECOMMENDED PRACTICES FOR THE RESPONSIBLE SITING AND DESIGN OF SOLAR DEVELOPMENT IN GEORGIA](#) (PUBLISHED IN SEPTEMBER 2023) ARE

INTENDED TO PROVIDE VOLUNTARY GUIDANCE TO SUPPORT CONSIDERATION OF NATURAL RESOURCES DURING THE DEVELOPMENT OF PHOTOVOLTAIC SOLAR IN GEORGIA. FURTHERMORE, THE [GEORGIA LOW IMPACT SOLAR SITING TOOL \(LISST\)](#) IS ALSO AVAILABLE AS A MAP LAYER IN IPAC (FIND IT IN THE "LAYERS" BOX > "ENVIRONMENTAL DATA") TO PROVIDE PROJECT MANAGERS WITH THE DATA TO IDENTIFY AREAS THAT MAY BE PREFERRED FOR LOW-IMPACT DEVELOPMENT. THE TOOL SEEKS TO SUPPORT THE ACCELERATION OF LARGE-SCALE SOLAR DEVELOPMENT IN AREAS WITH LESS IMPACT TO THE ENVIRONMENT.

STATE AGENCY COORDINATION

ADDITIONAL INFORMATION THAT ADDRESSES AT-RISK OR HIGH PRIORITY NATURAL RESOURCES CAN BE FOUND IN THE STATE WILDLIFE ACTION PLAN ([HTTPS://GEORGIAWILDLIFE.COM/WILDLIFEACTIONPLAN](https://georgiawildlife.com/wildlifeactionplan)), AT GEORGIA DEPARTMENT OF NATURAL RESOURCES, WILDLIFE RESOURCES DIVISION BIODIVERSITY PORTAL ([HTTPS://GEORGIAWILDLIFE.COM/CONSERVATION/SPECIES-OF-CONCERN](https://georgiawildlife.com/conservation/species-of-concern)), GEORGIA'S NATURAL, ARCHAEOLOGICAL, AND HISTORIC RESOURCES GIS PORTAL ([HTTPS://WWW.GNAHRGIS.ORG/GNAHRGIS/INDEX.DO](https://www.gnahrgis.org/gnahrgis/index.do)) PAGES.

THANK YOU FOR YOUR CONCERN FOR ENDANGERED AND THREATENED SPECIES. WE APPRECIATE YOUR EFFORTS TO IDENTIFY AND AVOID IMPACTS TO LISTED AND SENSITIVE SPECIES IN YOUR PROJECT AREA. FOR FURTHER CONSULTATION ON YOUR PROPOSED ACTIVITY, PLEASE EMAIL GAES_ASSISTANCE@FWS.GOV AND REFERENCE THE PROJECT COUNTY AND YOUR SERVICE PROJECT TRACKING NUMBER.

THIS LETTER CONSTITUTES GEORGIA ECOLOGICAL SERVICES' GENERAL COMMENTS UNDER THE AUTHORITY OF THE ENDANGERED SPECIES ACT.

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Georgia Ecological Services Field Office

355 East Hancock Avenue

Room 320

Athens, GA 30601-2523

(706) 460-7161

PROJECT SUMMARY

Project Code: 2024-0065445
Project Name: 4303 Pleasantdale Road
Project Type: Commercial Development
Project Description: Recycling landfill expansion.
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.908952400000004,-84.24586430909406,14z>



Counties: DeKalb and Gwinnett counties, Georgia

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Michaux's Sumac <i>Rhus michauxii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5217	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

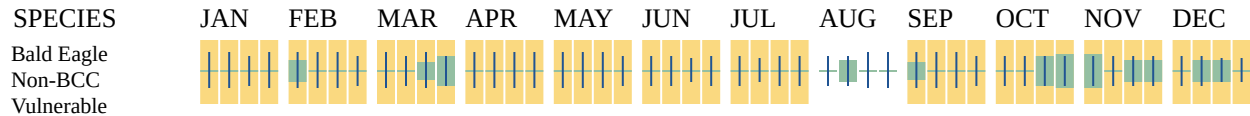
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Cerulean Warbler <i>Setophaga cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 28 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Chuck-will's-widow <i>Antrostomus carolinensis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9604	Breeds May 10 to Jul 10
Kentucky Warbler <i>Geothlypis formosa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

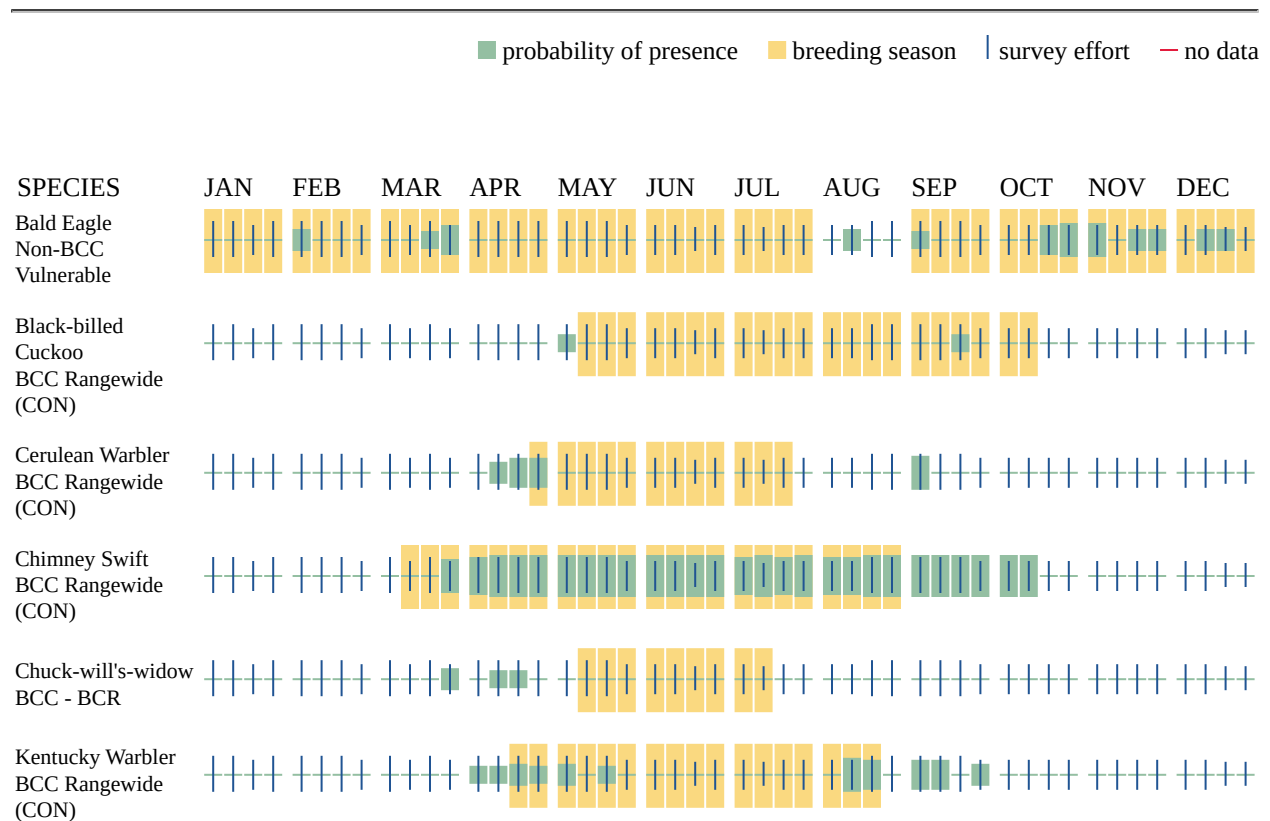
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

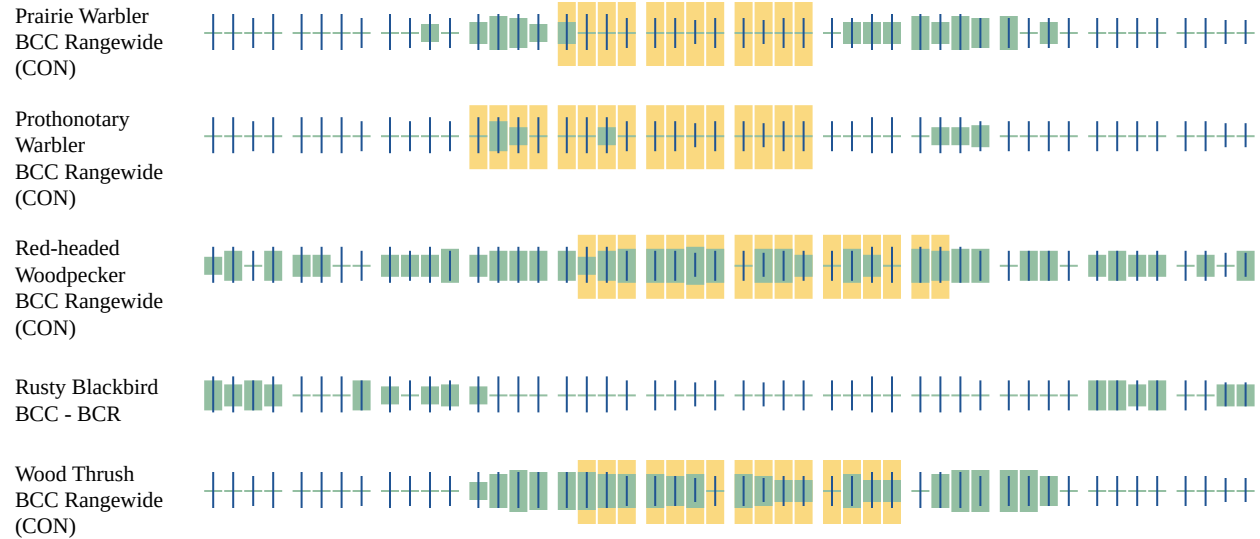
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Stephen F. Modica, SPWS
Address: Gaia Environmental Consulting, LLC
Address Line 2: 109 Birchwood Pass
City: Canton
State: GA
Zip: 30114-7752
Email: stephen@gaiainvironmental.co
Phone: 4049923573

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Georgia Ecological Services Field Office
355 East Hancock Avenue
Room 320
Athens, GA 30601-2523
Phone: (706) 460-7161 Fax: (706) 613-6059

In Reply Refer To:

03/20/2024 13:47:42 UTC

Project Code: 2024-0065445

Project Name: 4303 Pleasantdale Road

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](https://www.fws.gov/partner/council-conservation-migratory-birds).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Georgia Ecological Services Field Office

355 East Hancock Avenue

Room 320

Athens, GA 30601-2523

(706) 460-7161

PROJECT SUMMARY

Project Code: 2024-0065445
Project Name: 4303 Pleasantdale Road
Project Type: Commercial Development
Project Description: Recycling landfill expansion.
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.908952400000004,-84.24586430909406,14z>



Counties: DeKalb and Gwinnett counties, Georgia

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Michaux's Sumac <i>Rhus michauxii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5217	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Stephen F. Modica, SPWS
Address: Gaia Environmental Consulting, LLC
Address Line 2: 109 Birchwood Pass
City: Canton
State: GA
Zip: 30114-7752
Email: stephen@gaiainvironmental.co
Phone: 4049923573

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

ATTACHMENT V

Historic Properties Information

PHASE I CULTURAL RESOURCES SURVEY
TWO STREAM IMPACT STUDY RADII
4303 PLEASANTDALE ROAD DEVELOPMENT TRACT
DEKALB AND GWINNETT COUNTIES, GEORGIA

July 8, 2024

R.S. WEBB & ASSOCIATES
2800 HOLLY SPRINGS PARKWAY, SUITE 200
P.O. DRAWER 1319
HOLLY SPRINGS, GEORGIA 30142

PHASE I CULTURAL RESOURCES SURVEY
TWO STREAM IMPACT STUDY RADII
4303 PLEASANTDALE ROAD DEVELOPMENT TRACT
DEKALB AND GWINNETT COUNTIES, GEORGIA



Robert S. Webb
Principal Investigator and Author

Morgan Bendzinski
Co-Author

Neil Bowen
Historian and Contributing Author

Prepared for:

Gaia Environmental Consulting
109 Birchwood Pass
Canton, Georgia 30114

Prepared by:

R.S. Webb & Associates
2800 Holly Springs Parkway
P.O. Drawer 1319
Holly Springs, Georgia 30142

R.S. Webb & Associates Project No. 24-258-092

July 8, 2024

MANAGEMENT SUMMARY

Background

In May 2024, R.S. Webb & Associates (RSWA) conducted a cultural resources literature review and Phase I cultural resources field survey of two overlapping 100-meter (m) study radii originating within the 4303 Pleasantdale Road development tract in DeKalb and Gwinnett Counties, Georgia. The study radii cover locations where sections of streams will be impacted by construction at 4303 Pleasantdale Road; these radii are defined as the “project area” or “study radii.” In total, the project area covers approximately 5.1 hectares (ha) (12.4 acres) and constitutes the project Area of Potential Effects (APE). Approximately 1.5 ha (3.6 acres) of the study radii are located within the project parent tract and constitute the APE for direct impacts, while the remaining 3.6 ha (8.8 acres) are outside the parent tract and comprise the APE for indirect impacts.

RSWA conducted the survey at the request of Gaia Environmental Consulting, who provided RSWA with maps/drawings showing the study radii around the stream impact locations and the limits of the development tract. Areas within these radii are subject to U.S. Army Corps of Engineers (USACE) Clean Water Act permitting. Due to this permitting, the project must comply with the National Historic Preservation Act (NHPA). Under the NHPA, a cultural resources survey is conducted to determine if archeological and/or historic resources eligible for the National Register of Historic Places (NRHP) will be affected by a proposed project.

When found within the project APE, cultural resources are assessed for significance using the NRHP eligibility criteria set forth in 36 CFR Part 60.4. The current cultural resources survey was conducted following guidelines set by the Georgia Council of Professional Archaeologists (2019) and the U.S. Secretary of the Interior (Federal Register 1983).

Methodology

Literature and Records Search: Georgia Historic Preservation Division (HPD) offices closed to the public indefinitely on March 16, 2020; therefore, certain records/files not available online could not be reviewed. These sources include, but are not limited to, the National Register of Historic Places (NRHP), Identified Sites and DeKalb/Gwinnett County historic structure survey records/maps. Through Georgia’s Natural, Archaeological, and Historic Resources Geographic Information System (GNAHRGIS), records at the Georgia Archaeological Site File (GASF), University of Georgia in Athens were examined, including pertinent site forms and Laboratory of Archaeology manuscript/report files. Historic structures/resources information available on GNAHRGIS was also reviewed. Previously collected data on early county historic structure surveys were reviewed in house. The NRHP, Georgia Centennial Farm listings and historic maps were queried online. Information on relevant land lotteries was examined through the Georgia State Archives online database. Aerial photographs were examined courtesy of the Digital Library of Georgia, Historicaerials.com and similar sources. Civil War Sites Advisory Commission resources (CWSAC) (1993, 2010), the Civil War military atlas (Davis *et al.* 1983) and *The Campaign for Atlanta* (Scaife 1993) were consulted for the locations of relevant Civil War-era military actions or associated sites.

Field Surveys: RSWA systematically surveyed the project APE for direct impacts for archeological resources employing surface and subsurface techniques on a 30-m grid. Exposed surfaces within the project APE were inspected for artifacts and surface features. Subsurface techniques included the excavation of 30-centimeter diameter screened shovel tests to sterile subsoil. Shovel test profiles were inspected and soil data recorded. Shovel testing was conducted at designated stations across the APE except where: impervious surfaces were present; land had been graded/disturbed to subsoil; sloping landforms of 15 percent slope or greater were present; or where wetlands/open water were encountered. Occasionally, shovel tests were offset slightly to

avoid heavily disturbed locations. Shovel test intervals were reduced to 15-m intervals as needed to sample diminutive landforms with a moderate to high probability of containing archeological sites. RSWA used these methods to assess the condition and nature of archeological deposits and to evaluate resource significance based on NRHP eligibility criteria [36 CFR Part 60. (a-d)].

The historic resources field survey was designed to identify possible historic buildings and features across landscapes within the project APEs for direct and indirect impacts. This survey included a pedestrian inspection of the APE for direct impacts for historic resources with surface and/or above-ground features. The APE for indirect impacts (i.e., beyond the parent tract boundaries) was inspected for similar features from the parent tract boundaries or from public rights-of-way. The APEs were photographed to document their nature and condition. Historic (i.e., at least 50 years old) resources observed in the project APEs were photographed, located via GPS and assessed for age, condition and NRHP eligibility.

Results

Literature Search: According to the GNAHRGIS and National Park Service online databases, no NRHP-listed properties are located within 1.0 kilometer (km) of the project area. Likewise, no Georgia Centennial Farms, cemeteries or Civil War properties are within 1.0 km of the project area. The GNAHRGIS database however, indicates that at least 10 previous cultural resources investigations projects have been performed within 1.0 km of the project area. These projects were all related to Pleasantdale Road and/or Interstate 85, with the closest project being a section of Pleasantdale Road located approximately 572 m to the south (DeFrancisco *et al.* 2019). GASF/GNAHRGIS identify two recorded archeological sites located within 1.0 km of the study radii. Both sites are pre-contact scatters recorded by an avocational archeologist at an unknown date. Site forms provide no location maps; but GNAHRGIS places the closest of these sites, 9GW154, approximately 590 m northeast of the project area.

Sections of four rail spurs are located within the project APE for indirect impacts that were extended from the circa 1871 Atlanta & Charlotte Air Line corridor located approximately 1.4 km to the northwest. The Air Line railroad is now part of the Norfolk Southern Railway. Older rail corridors in Georgia are considered eligible for the NRHP under Criteria (a) and (c) (Georgia Department of Transportation 2018), but no historical context is known for middle to late 20th century rail spurs established in support of localized commercial/industrial enterprises. These corridors will not be impacted by the current stream impact project.

Archeological Field Survey: No archeological resources were recorded within the limits of the current APE for direct impacts.

Historic Resources Field Survey: Two historic resources were recorded within the project APEs for direct and indirect impacts. Historic Resource No. 1 is an abandoned sewer line junction pit in the APE for direct impacts, while Historic Resource No. 2 includes sections of four rail spurs in the eastern APE for indirect impacts that tie into the Norfolk Southern Railway main line 1.4 km to the north.

NRHP Eligibility Recommendations

Historic Resource No. 1 is recommended ineligible for the NRHP under all criteria due to its abandonment, loss of components and isolation from the nearby modern active sewer line. The four sections of rail spurs comprising Historic Resource No. 2 are considered ineligible for the NRHP under all criteria. These late historic rail spurs likely retain marginal historic integrity, but there is no clear context for middle to late 20th century rail spurs established in support of late historic to modern commercial/industrial enterprises. These spurs are also well removed from the NRHP-eligible primary rail line to the north and do not contribute to

the significance of that historic transportation route. Regardless of NRHP eligibility status, Historic Resource No. 2 will not be impacted by the current project.

Potential Project Effects and Future Actions

Assuming that the USACE and HPD agree that Historic Resource Nos. 1 and 2 are ineligible for the NRHP, no additional cultural resources work is advised for these properties or the proposed 4303 Pleasantdale Road stream impacts project.

TABLE OF CONTENTS

MANAGEMENT SUMMARY i

LIST OF FIGURES vi

1.0 INTRODUCTION 1

 1.1 Project Background 1

 1.2 Location, Description and Area of Potential Effects 1

 1.3 Physical Nature of the Project Area 1

 1.4 Potential Impacts 5

 1.5 Project Personnel 5

 1.6 Disposition of Project Materials 5

2.0 METHODS 9

 2.1 Literature and Records Review 9

 2.2 Cultural Resource Definitions 9

 2.3 Archeological Field Survey Techniques and Implementation 10

 2.4 Historic Resources Survey Methods 11

 2.5 Laboratory and Data Analysis Methods 11

 2.6 Evaluating NRHP Eligibility and Potential Project Effects 11

3.0 SURVEY RESULTS 14

 3.1 Literature Review 14

 3.2 Archeological Field Survey 17

 3.3 Architectural/Historic Resources Survey 17

 3.3.1 Historic Resource No. 1 17

 3.3.2 Historic Resource No. 2 20

4.0 SUMMARY, RECOMMENDATIONS AND PROJECT EFFECTS 22

 4.1 Summary 22

 4.2 NRHP Eligibility Recommendations 22

 4.3 Potential Project Effects 22

 4.4 Future Actions 22

5.0 BIBLIOGRAPHY 23

APPENDIX A - PROJECT SHOVEL TEST LOG A-1

APPENDIX B - PRINCIPAL INVESTIGATOR’S RESUME B-1

LIST OF FIGURES

Figure 1.1 Parent Tract and APEs for Direct and Indirect Impacts	2
Figure 1.2 Aerial Photograph Showing the Parent Tract and APEs for Direct and Indirect Impacts . . .	3
Figure 1.3 Development Plan	4
Figure 1.4 Selected Views of Project Area	6
Figure 1.5 Selected Views of Project Area	7
Figure 1.6 Project Soil Map (NRCS 2023)	8
Figure 2.1 4303 Pleasantdale Road, Survey Coverage Map	12
Figure 3.1 Previous Projects and Recorded Cultural Resources	15
Figure 3.2 Cultural Resources Location Map	18
Figure 3.3 Selected Views of Historic Resource No. 1	19
Figure 3.4 Selected Views of Historic Resource No. 2	21

1.0 INTRODUCTION

1.1 Project Background

During May 2024, R.S. Webb & Associates (RSWA) conducted a Phase I cultural resources survey of study radii (aka “project area” or “study radii”) covering locations where streams will be impacted during construction of a sewer line within the 4303 Pleasantdale Road development tract (aka “project parent tract”) in Dekalb and Gwinnett Counties, Georgia. The work was performed for Gaia Environmental Consulting.

Areas within the project area/study radius are subject to U.S. Army Corps of Engineers (USACE) Clean Water Act permitting (33 U.S.C. 1251; 33 CFR Parts 320-332); therefore, the current undertaking requires compliance with the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 *et seq.*). Under the NHPA, a cultural resources survey is conducted to determine if cultural resources eligible for the National Register of Historic Places (NRHP) will be affected by a proposed project. Cultural resources are assessed for significance using the NRHP eligibility criteria set forth in 36 CFR Part 60.4 (a-d). In addition, the survey is conducted following guidelines set by the Georgia Council of Professional Archaeologists (GCPA) (2019) and the U.S. Secretary of the Interior (Federal Register 1983).

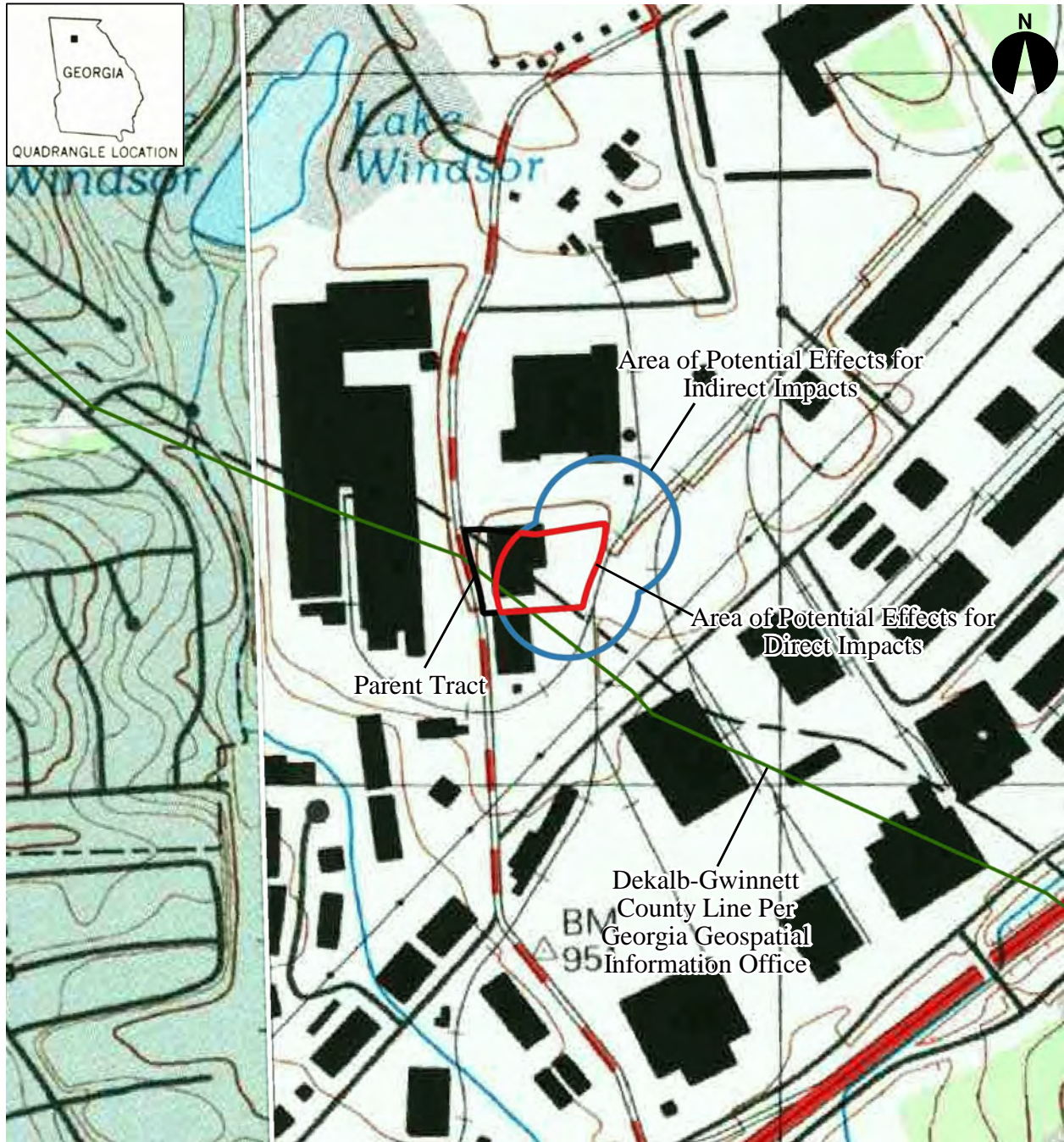
1.2 Location, Description and Area of Potential Effects

The project parent tract is located along the DeKalb and Gwinnett County line, approximately 4.5 kilometers (km) southwest of Norcross. The study radii are east of Pleasantdale Road and northwest of Best Friend Road (Figures 1.1 and 1.2). The radii extend beyond the parent tract to the north, east, and south. The most recent readily available aerial photography (2024) shows the radii encompassing industrial/warehouse buildings, a rock processing facility, sections of four rail spurs and partially forested land.

The project area consists of overlapping stream impact study radii along a proposed sewer line that will be constructed within the project parent tract (Figures 1.2 and 1.3). The radii cover approximately 5.1 hectares (ha) (12.4 acres) and constitutes the project Area of Potential Effects (APE). Approximately 1.5 ha (3.6 acres) of the study radius are located within the project parent development tract and constitutes the APE for direct impacts, while the remaining 3.6 ha (8.8 acres) is outside the parent tract and comprises the APE for indirect impacts.

1.3 Physical Nature of the Project Area

Physiographically, the study radii consists of a broad ridge end with gentle to moderate side slopes, and a tributary of North Fork Peachtree Creek running roughly north-south. The project area lies on the interface of the Gainesville Ridges and Winder Slope Districts in the Piedmont physiographic province (Clark and Zisa 1976; Wharton 1978). Elevations within the project area range from approximately 973 to 997 m above



Map Reference: 7.5-Minute USGS Quadrangles
 Chamblee (1993) and
 Norcross (1992), Georgia

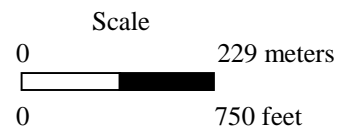


Figure 1.1 Parent Tract and APEs for Direct and Indirect Impacts



Map Reference: Google Earth (2023)

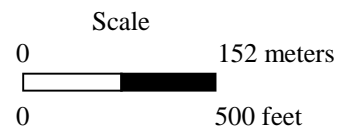


Figure 1.2 Aerial Photograph Showing the Parent Tract and APEs for Direct and Indirect Impacts

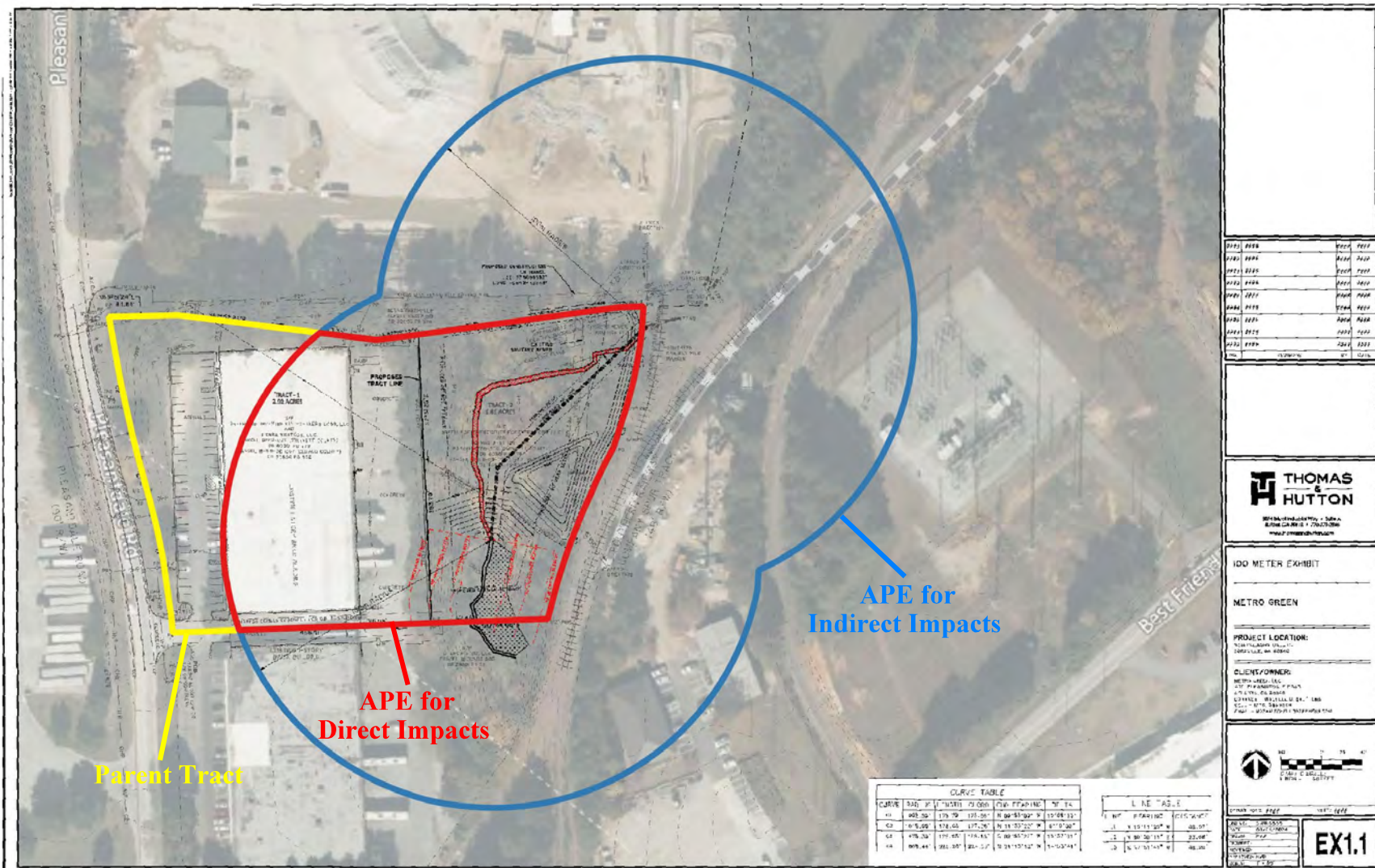


Figure 1.3 Development Plan

mean sea level. The highest elevation occurs on graded surfaces near an industrial building in the north APE for indirect impacts, while the lowest area is along the tributary on the southern edge of the project area.

At the time of the field survey, more than half of the project area was under commercial/industrial development (north, west and south). Railway corridors were noted in the east and southern portions of the radii, with remaining areas being forested in Piedmont hardwoods and pines with moderate hardwood and viny undergrowth. Figures 1.4 and 1.5 provide selected views of the project area.

The Natural Resources Conservation Service (NRCS) (2024) online database indicates that the project APE for direct impacts falls within two similar soil units (Figure 1.6): Urban Land (22.6 percent of total area); and Urban Land-Udorthents complex (77.4 percent). Field observations and the project shovel test log (Appendix A; Table A-1) generally confirm NRCS slope estimates and soil attributes with the exception of some disturbed wooded areas. Within the study radii, soil profiles displayed 0 to 20 cm of grayish-brown or reddish-brown humic sandy loam, or clay loam A horizon/plowzone over yellowish-red or red clay or sandy clay subsoil or substrate.

1.4 Potential Impacts

Activities associated with the proposed project that could directly or indirectly impact cultural resources include:

- Clearing and grubbing of stream-side vegetation
- Soil preparation activities associated with construction/stream piping
- Heavy equipment staging and movement, and materials staging
- Erosion and siltation associated with any of the above
- New construction that may directly or indirectly affect a historic property.

1.5 Project Personnel

Steve Webb served as Principal Investigator and co-authored the report. The literature and records search was performed by Neil Bowen (Historian). The cultural resources field survey was conducted in May 2024 by Project Archeologist Doug Tilley. Graphics were prepared by Christopher Webb and Jan Parrish-Jordan; Ms. Parrish-Jordan edited the report. Morgan Bendzinski co-authored the report.

1.6 Disposition of Project Materials

After completion of the project, a copy of the final report will be submitted to the Georgia Archaeological Site File/Laboratory of Archaeology, University of Georgia, Athens, Georgia. This facility meets the criteria specified in 36 CFR Part 79, regarding the curation of federally-owned or administrated collections.



Transect 1, Shovel Test 1, Facing East



Transect 1, Shovel Test 3, Facing North-Northeast

Figure 1.4 Selected Views of Project Area

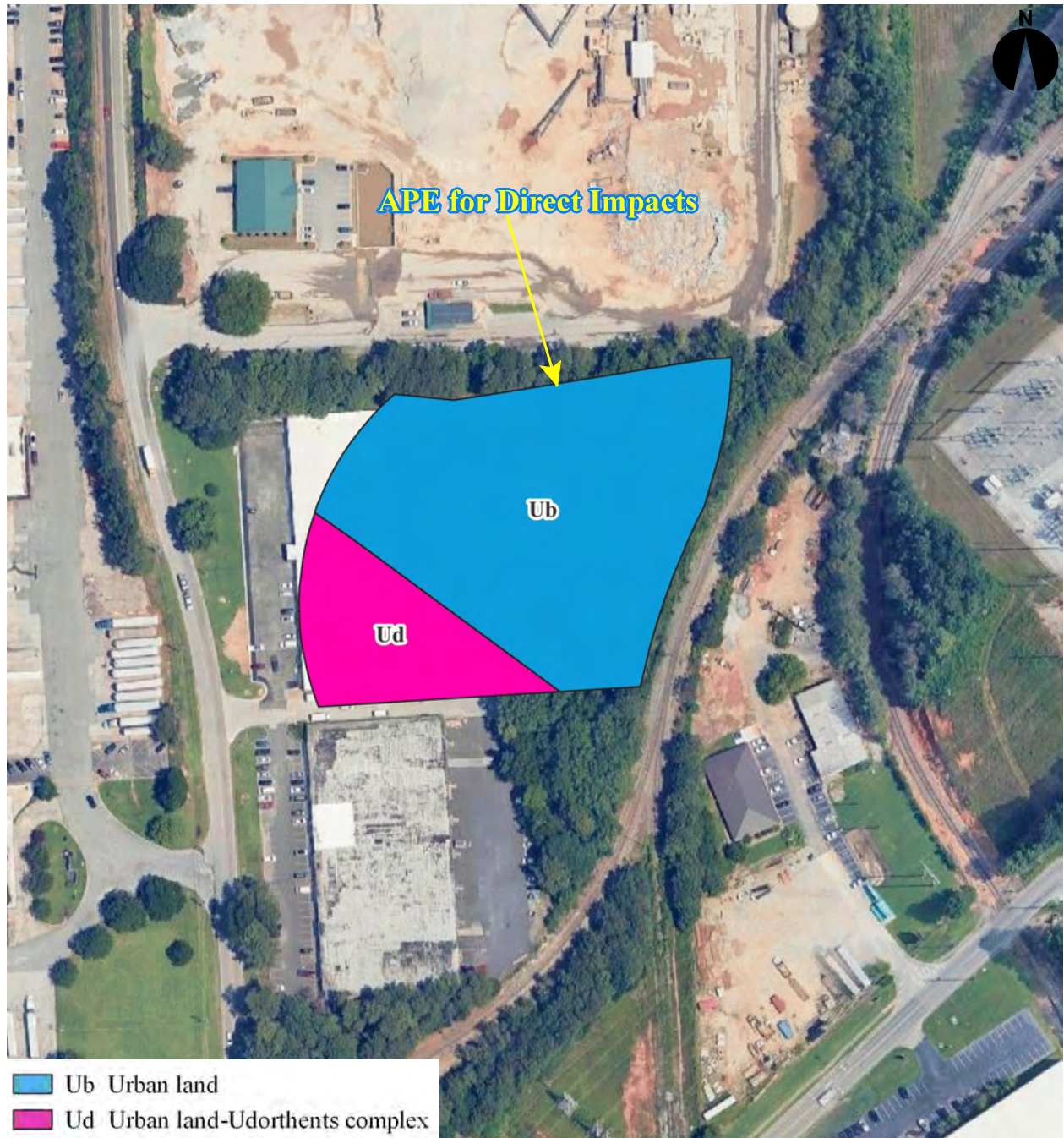


Transect 2, Shovel Test 4, Facing North



Transect 3, Shovel Test 5.5, Facing West

Figure 1.5 Selected Views of Project Area



Map Reference: Google Earth (2023)

Figure 1.6 Project Soil Map (NRCS 2023)

2.0 METHODS

2.1 Literature and Records Review

Georgia Historic Preservation Division (HPD) offices closed indefinitely on March 16, 2020. Therefore, RSWA performed the literature and records search by querying Georgia's Natural, Archaeological, and Historic Resources Geographic Information System (GNAHRGIS) database for relevant: National Register of Historic Places (NRHP) property locations; Georgia Archaeological Site File (GASF) data; and state-recognized historic resource locations. Previously gathered (i.e., in-house) Gwinnett/DeKalb County historic resources survey data were reviewed for this project. National Park Service (NPS) online NRHP databases were also searched for listed properties in the project vicinity. A listing of awarded Georgia Centennial Farms (1993-2023) was searched online as were historic maps and aerial photographs courtesy of the Digital Library of Georgia, Alabamamaps.ua.edu and/or Historicaerials.com. The Civil War Sites Advisory Commission (CWSAC) battlefield maps/documents (1993, 2010), the military atlas of the Civil War (Davis *et al.* 1983) and *The Campaign for Atlanta* (Scaife 1993) were consulted for the locations of relevant Civil War-era military actions, or associated sites, and/or features.

The following sources were examined to search for historic resources within and adjacent to the project area:

- Circa 1891-1895 Map Illustrating the Official Records of the Union and Confederate Armies 1861-1865 (Davis *et al.* 1983)
- 1892/1895 USGS Atlanta, Georgia 30-minute quadrangle map
- 1914 USDA Soil Map of DeKalb County
- 1948 and 1965 Georgia State Highway Department Maps of DeKalb County
- 1951 and 1965 Georgia State Highway Department Maps of Gwinnett County
- 1956 (photo-revised 1968) and 1992 USGS Norcross, Georgia 7.5-minute quadrangles
- 1938, 1955, 1960, 1968, 1978 and 1988 Agricultural Stabilization and Conservation Service aerial photographs
- 1993-2024 Google Earth aerial imagery.

2.2 Cultural Resource Definitions

Two types of archeological resources are typically recorded during archeological surveys: the archeological site and the isolated find. An archeological site is defined in the Georgia Council of Professional Archaeologists' (2019:1-2) *Georgia Standards and Guidelines for Archaeological Surveys* as follows:

An archaeological site is a concentration of artifacts, ecofacts, or modifications to the landscape that are associated with past human activity and retain their context. An archaeological site must be at least 50 years old, and is characterized by any of the following criteria:

- *A surface area yielding three or more artifacts from the same broad cultural period (i.e., historic or prehistoric) within a 30-m radius;*
- *Two or more shovel tests yielding at least one artifact each within 30 meters of each other;*
- *A shovel test that produces three or more artifacts from the same broad cultural period, as long as the artifacts cannot be fitted together (i.e., they are not two pieces of the same artifact);*
- *An area with visible or cultural features (e.g., shell midden, graves, rock shelters, petroglyphs, chimney falls, brick walls, rock piles, piers, whiskey stills, prospect pits, military earthworks, etc.);*
- *Abandoned graves or cemeteries should be recorded as archaeological sites;*
- *Single artifacts may receive a site designation if the researcher can justify its significance as culturally meaningful (e.g., a Paleo projectile point) and/or associated with specific surface or landscape features.*

An isolated find is defined as no more than two historic or prehistoric artifacts found within a 30-meter radius. Isolated finds are not considered eligible for listing on the NRHP. For cases where an isolated find is unique, and potentially may be considered eligible for inclusion in the NRHP, it should be defined as a site. Deposits of cultural artifacts that have no integrity, such as road fill, stream gravels, or other situations where artifacts clearly are redeposited, should be considered isolated finds.

Per the above definitions, modern debris and discard (e.g., recent soft drink/alcoholic beverage bottles, cans, tires, construction dumping, etc.) are not treated as archeological sites or isolated finds. Isolated modern debris usually is not recorded. When present on archeological sites, such materials are often noted to document the nature and extent of recent disturbance, span of occupation, or when large quantities of such debris/discard may hamper recordation of an archeological site.

Other cultural resources sometimes encountered on Phase I surveys include historic (at least 50 years of age) structures/buildings (typically houses/outbuildings/ruins), structure/building complexes, earthen/composite engineering constructions such as dams, and historic transportation corridors.

2.3 Archeological Field Survey Techniques and Implementation

Subsurface Testing: Screened shovel testing was the only subsurface technique used during the survey. This involved the excavation of circular 30-centimeter (cm)-diameter units to sterile subsoil/substrate. Shovel test soils were processed through 0.64-cm hardware cloth and the retained material was inspected for artifacts. Each shovel test profile was examined and the soil texture, color, and depths of deposits were recorded in an all-weather field journal. Shovel tests were excavated along survey transects spaced 30 m apart throughout

the study radii. No survey shovel tests were excavated beyond the study radii boundaries. Likewise, shovel tests were not excavated in areas where: land had been graded/disturbed to subsoil; slope exhibited a grade of 15 percent or greater; or wetlands/open water were encountered. Figure 2.1 depicts survey coverage within the study radii, including transects, transect orientation, transect numbers and stations where shovel tests were excavated; the project shovel test log in Table A-1 of Appendix A summarizes the shovel testing results.

Surface Inspection: At the time of the survey, surface visibility was very limited within the APE for direct impacts. As observed, partially exposed unimproved trails, dirt roads/grade cuts and eroded patches were inspected for artifacts and possible cultural features.

Landscape Scanning: Visual scanning of the landscapes was important in determining the presence/absence of archeological sites with surface/above ground indications. The archeologist perused the landscapes for above ground features, vegetation patterns, surface artifacts, pits, ruins and/or stone arrangements indicative of house sites, dumps, cemeteries, roads and similar sites with surface manifestations.

2.4 Historic Resources Survey Methods

The historic resources field survey was designed to identify possible historic structures and other historic features within the project APEs for direct and indirect impacts. This survey included a pedestrian inspection of the APE to identify historic buildings/resources that are at least 50 years in age. Two historic resources, Historic Resource No. 1, a remnant unknown sewage element, and Historic Resource No. 2, part of the Southern Railway, were observed during the current field survey.

2.5 Laboratory and Data Analysis Methods

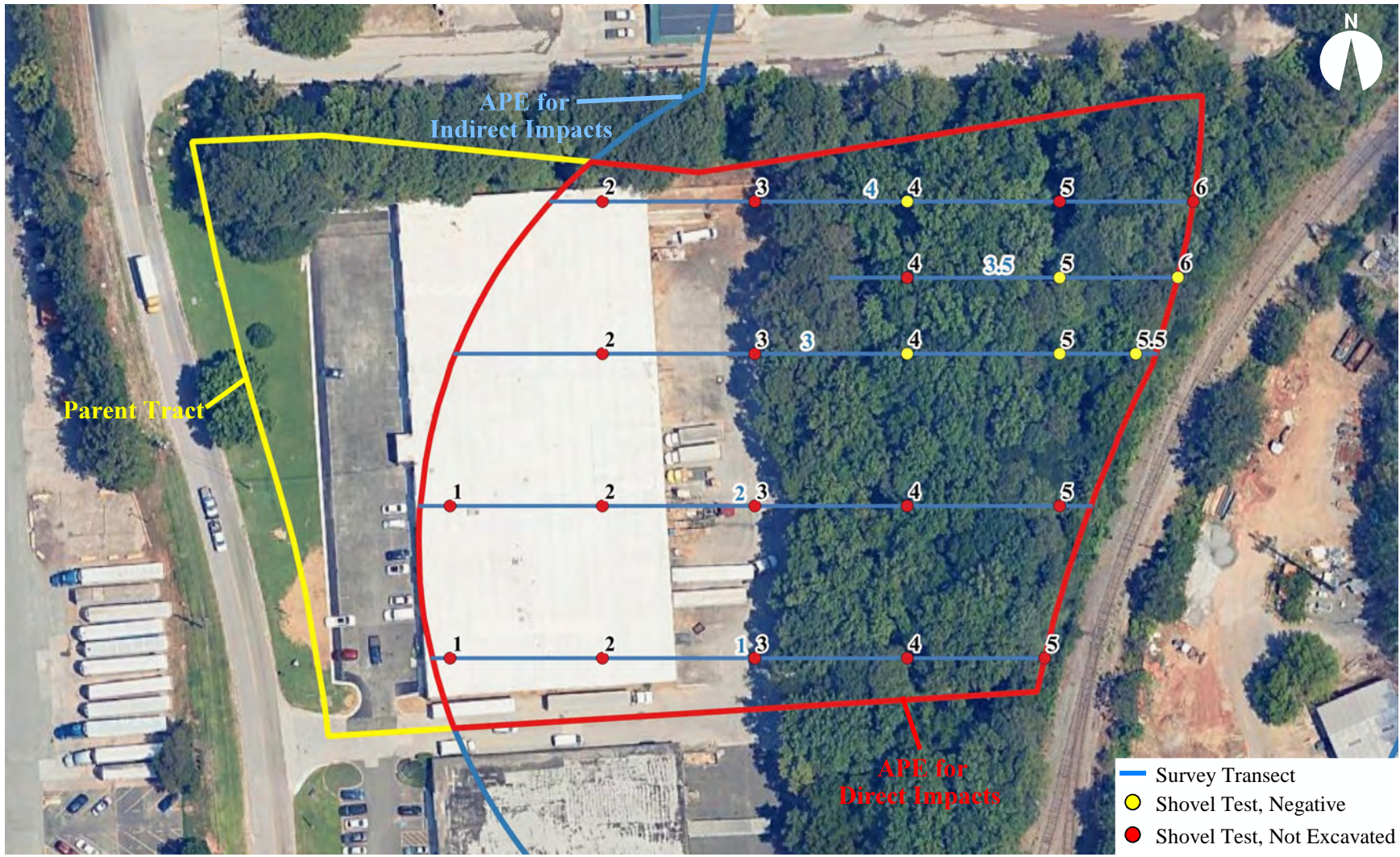
No artifacts were recovered during the current field survey. During this phase, project photography and field notes were processed/transcribed.

2.6 Evaluating NRHP Eligibility and Potential Project Effects

Survey data collected from each cultural resource were used to make recommendations about site significance/NRHP eligibility status following criteria set forth in 36 CFR Part 60.4:

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- (a) *That are associated with events that have made a significant contribution to the broad patterns of our history; or*



Map Reference: Google Earth (2023)

— Survey Transect
● Shovel Test, Negative
● Shovel Test, Not Excavated

Scale

0 — 30 meters

0 — 100 feet

Figure 2.1 4303 Pleasantdale Road, Survey Coverage Map

- (b) *That are associated with the lives of persons significant in our past; or*
- (c) *That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- (d) *That have yielded or may be likely to yield, information important in prehistory or history.*

In addition to the above criteria, regulations under 36 CFR Part 800 (Federal Register 2001) and guidance from selected National Register Bulletins are the basis for assessing resource significance, project effect, and related interpretations. Central to the application of these regulatory criteria is consideration for a resource's potential for contributing significant information to local or regional cultural contexts. A resource's state of preservation, retention of integrity, temporal/cultural affiliation(s), extent/density, and/or uniqueness of content are taken into account during resource evaluation.

3.0 SURVEY RESULTS

3.1 Literature Review

Previous Cultural Resources Investigations: According to GNAHRGIS, at least 10 archeological/cultural resources surveys have been conducted within 1.0 km of the study tract. These projects were all related to a major transportation corridor located 700 m southeast of the current project area. These projects were all related to Pleasantdale Road and/or Interstate 85, with the closest project being a section of Pleasantdale Road located approximately 610 m to the south (DeFrancisco *et al.* 2019) (Figure 3.1).

Architectural surveys of Gwinnett County were conducted in 1978 and in 2006. A survey of DeKalb County area outside of Atlanta was conducted in 1976 and subsequent surveys have been carried out on an ad hoc basis (e.g. Doraville and Buford Highway, initiated in 2020). Results of the 2006 Gwinnett County survey are included in GNAHRGIS, but the 2020 Doraville/Buford Highway survey was “ongoing” as of April 2023 and its results do not appear to be included in GNAHRGIS.

National Register of Historic Places: The National Park Service’s online NRHP database and GNAHRGIS show no NRHP-listed properties located within 1.0 km of the project area.

Georgia Centennial Farms and Identified Sites: An online listing of awarded Centennial Farms 1993-2023 indicates no such properties located within 1.0 km of the project area.

Due to closure of HPD offices, the Gwinnett County and DeKalb County Identified Sites files are not currently accessible.

Gwinnett County and DeKalb County Historic Structures and Resources: Records of the 1976 DeKalb County survey are not currently available for review. Gwinnett County surveys completed in 1978 and 2006 show no resources located within 1.0 km of the project area. It is unknown if the 2020 Gwinnett County survey is complete, but results are not in GNAHRGIS or otherwise available for review.

Known Archeological Sites: The GASF/GNAHRGIS database identifies two recorded archeological sites within 1.0 km of the study tract. Both sites are pre-contact resources recorded by an avocational archeologist at an unknown date. Site forms provide no location maps; but GNAHRGIS places the closest of these sites, 9GW154, approximately 590 m northeast of the project area (Figure 3.1). The only artifact collected was a “polished celt.”

Historic Cemeteries: Based on the various maps reviewed, no mapped cemeteries are located within 1.0 km of the study tract.

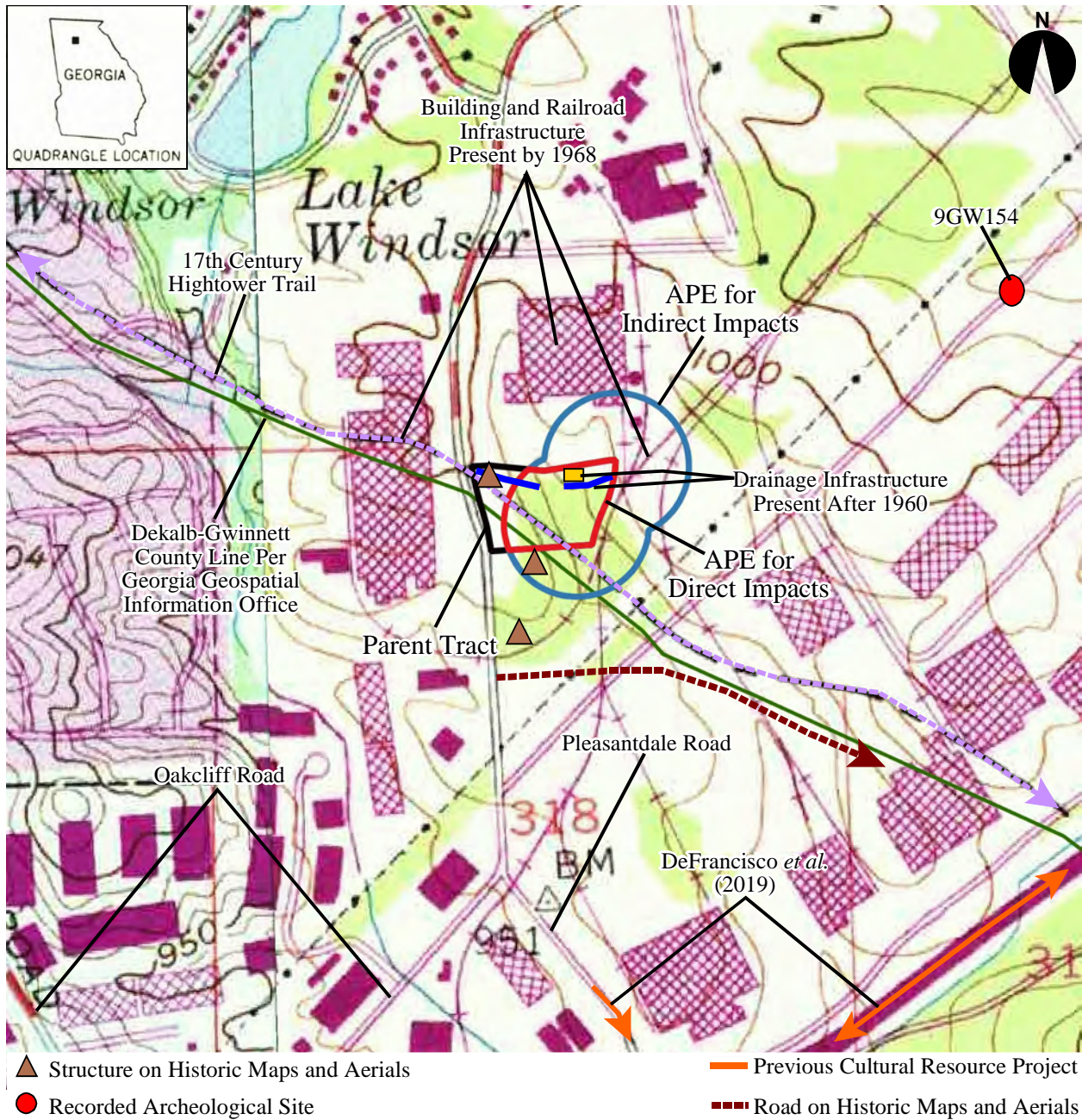


Figure 3.1 Previous Projects and Recorded Cultural Resources

Civil War Features and Actions: A review of Civil War-era maps and documents indicate that no major Civil War military engagements took place in or near the project area. In July 1864, Union infantry crossed the Chattahoochee River at Roswell (15 km northwest), followed by a brief cavalry skirmish at Lawrenceville (24 km northeast). Union infantry marched southward to Decatur via Cross Keys (12 km southwest), passing perhaps within 10 km west of the project area. Mustering, marching, bivouacking, skirmishing and/or raiding could have occurred over much of north Georgia in the summer of 1864, but no such activities are known to have taken place in or adjacent to the project area (CWSAC 1993, 2010; Davis *et al.* 1983; Scaife 1993).

Railroad Spur Lines (circa 1964): The rail corridors at the study radii (Figure 3.1) were extensions from the circa 1871 Atlanta & Charlotte Air Line corridor located approximately 1.4 km northwest. The Air Line railroad is now part of the Norfolk Southern Railway (Greenville District). Older rail corridors in Georgia are considered eligible for the NRHP under Criteria (a) and (c) (Georgia Department of Transportation 2018), but no historical context is available for middle to late 20th century rail spurs established in support of localized commercial/industrial enterprises. The spurs corridors in the study radii will not be physically impacted by the current stream impact project.

Original Gwinnett County (1819) and Original Henry County (1821): The project area is located in Land Lot 318 of District 18, original Henry County, and Land Lot 220 of District 6, original Gwinnett County. The District Plats of Survey and the District Survey Field Notebooks were reviewed and they noted that the boundary between Native American land cessions of 1819 and 1821 were the current county boundary passing through the project area. The boundary was established at a pre-settlement thoroughfare known as the Etowah or Hightower Trail (https://www.georgiahistory.com/ghmi_marker_updated/hightower-etowah-trail/) (Figure 3.1). The district plats and survey notebooks give no additional indication of human-made improvements located within or adjacent to the above-referenced land lots.

Historic Maps and Aerial Photographs: Maps from 1892 and 1895 depict Pleasantdale Road, Oakcliff Road and their intersection located approximately 390 m southwest of the project study radii, but these maps show no individual buildings. Maps from the early century (DeKalb County only) show a single building located east of Pleasantdale Road and apparently in the study radii (Figure 3.1). Maps from the middle 20th century (DeKalb County and Gwinnett County) show single buildings located north and south of the county boundary, neither of which appear to have been in the study radii (Figure 3.1). Topographic maps from the second half of the 20th century also show single residential buildings or farm units located west and south of the study radii (Figure 3.1).

Aerial photographs from 1938 and 1955 show cultivation in the northeast and southwest parts of the study radii with the direct effect APE in woods. A building appeared in the parent tract in 1955, situated between Pleasantdale Road and the study radii (Figure 3.1). As of 1968, the south half of the study radii remained wooded, but all other nearby land was either cleared of buildings and vegetation or it was occupied by

modern commercial buildings (north and west of the study radii) and associated railroad infrastructure through the east half of the study radii. The north half of the direct effects APE was open and in pasture with apparent ditching/drainage infrastructure associated with the development to the north through 1972 (Figure 3.1). Large commercial or industrial buildings appeared in the southwest part of the study radii by 1978. A remnant stand of trees in the south part of the study radii has since increased over the direct effects APE to its current state.

3.2 Archeological Field Survey

The project APE for direct impacts was accessed through Pleasantdale Road along the west project area boundary, while the APE for indirect impacts was viewed from parent tract boundaries or public rights-of-way. In total, 23 shovel test stations were visited along four primary and one secondary survey transects to cover the project APE for direct impacts (Figure 2.1). Screened shovel tests were excavated at 6 shovel test stations, all of which were negative for cultural materials. Shovel tests were not excavated at 17 shovel test locations due to developed industrial area, slope or drainageways/wetlands. No shovel tests were excavated outside the APE for direct impacts.

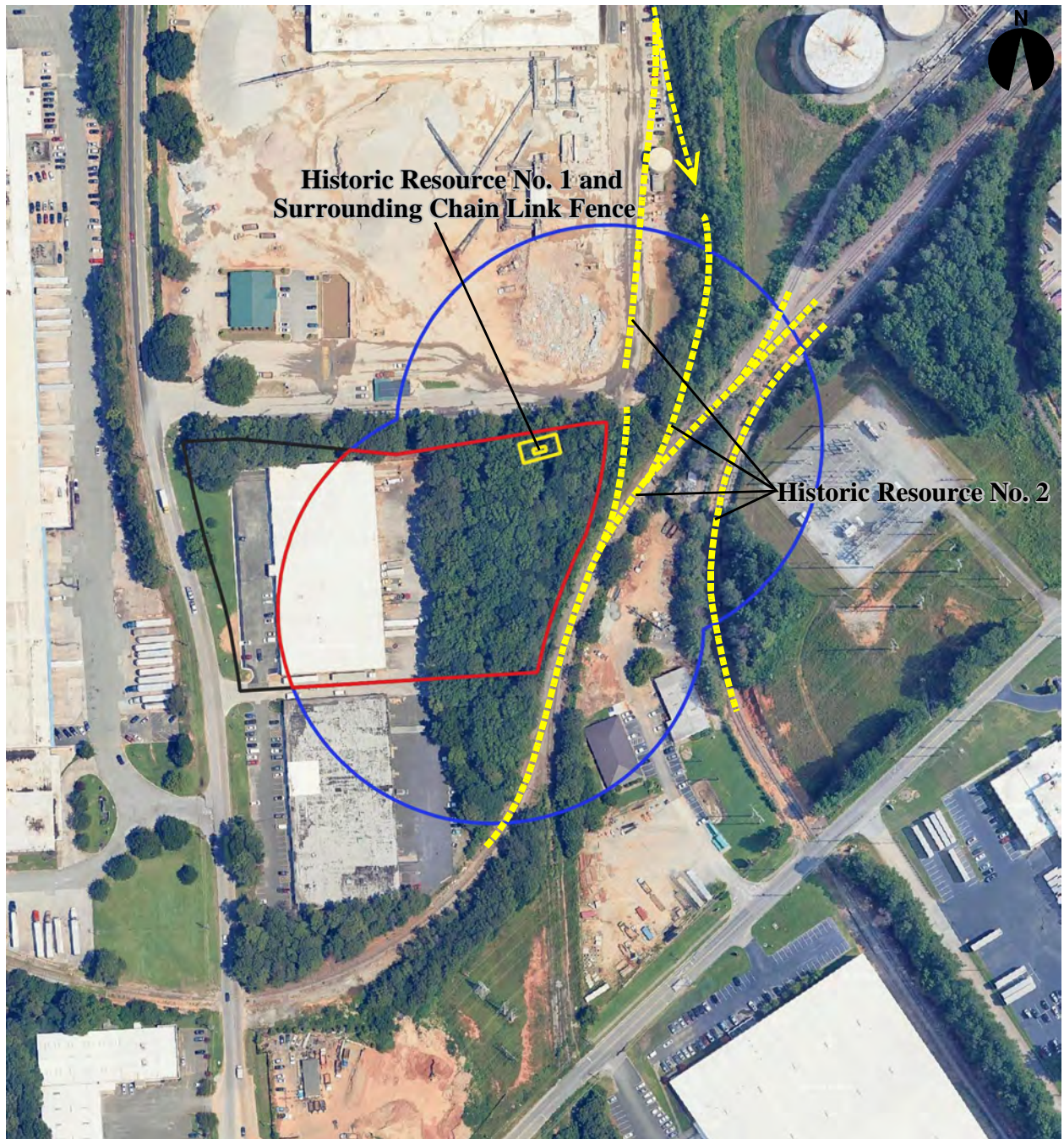
The current archeological survey of the APE for direct impacts resulted in the recordation of no archeological sites.

3.3 Architectural/Historic Resources Survey

Two historic resources, Historic Resource Nos. 1 and 2, were recorded during the current survey (Figure 3.2).

3.3.1 Historic Resource No. 1

Historic Resource No. 1 is an abandoned middle to late 20th century sewer line junction pit located in the northeast part of the APE for direct impacts between Shovel Tests T4/ST4 and T4/ST5 (Figures 3.2 and 3.3). This resource includes a water-filled metal enclosure associated with a concrete manhole surrounded by a failing chainlink fence. This facility appears to have been scavenged for pipe and/or electrical components. Historic aerials from 1968 show this small facility seemingly associated with buildings north of the parent tract. This abandoned, non-functional facility is no longer part of the local active sewer line system (i.e., now isolated) and lacks material integrity due to scavenging/removal of critical parts. On this basis, Historic Resource No. 1 is recommended ineligible for the NRHP under all criteria and no additional work is recommended for this property.



Map Reference: Google Earth (2023)

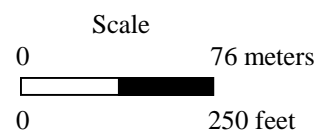


Figure 3.2 Cultural Resources Location Map



Transect 4, Shovel Test 6, Facing West



Transect 4, Shovel Test 6, Facing South

Figure 3.3 Selected Views of Historic Resource No. 1

3.3.2 Historic Resource No. 2

Historic Resource No. 2 consists of sections of four rail spurs within the eastern APE for indirect impacts; one spur runs just beyond the eastern APE of direct impacts boundary (Figures 3.2 and 3.4). The spurs serve industrial/commercial facilities in and around the project APE and tie into the Norfolk Southern Railway (Greenville District) main line approximately 1.4 km to the northwest. Originally, the main line was the Atlanta & Charlotte Air Line established circa 1871. Historic rail corridors in Georgia are considered eligible for the NRHP under Criteria (a) and (c) (Georgia Department of Transportation 2018); however, there is no clear contextualization for middle to late 20th century rail spurs established in support of local, late historic to modern commercial/industrial enterprises. These late historic spur corridors likely retain marginal historic integrity, but have little to do with what makes the Atlanta & Charlotte Air Line transportation corridor historically significant. For this reason, the rail spurs within the project APE for indirect impacts are likely ineligible for the NRHP under all criteria. Regardless of eligibility, these spurs will not be directly impacted by the current project.



Transect 2, Shovel Test 5, Facing South



Transect 2, Shovel Test 5, Facing Northeast

Figure 3.4 Selected Views of Historic Resource No. 2

4.0 SUMMARY, RECOMMENDATIONS AND PROJECT EFFECTS

4.1 Summary

Archeological Field Survey: No archaeological resources were recorded within the project APE for direct impacts.

Historic Resources Field Survey: Two historic resources were documented: a middle to late 20th century sewer line junction pit (Historic Resource No. 1) in the northeast APE for direct impacts; and sections of four middle to late 20th century rail spurs (Historic Resource No. 2) recorded within the east part of the project APE for indirect impacts.

4.2 NRHP Eligibility Recommendations

Historic Resource No. 1 is recommended ineligible for the NRHP under all criteria. This recommendation is due to the lack of material integrity and isolation from the existing sewer line nearby.

The four sections of rail spurs comprising Historic Resource No. 2 are considered ineligible for the NRHP under all criteria. These late historic rail spurs likely retain marginal historic integrity, but there is no clear context for middle to late 20th century rail spurs established in support of late historic to modern commercial/industrial enterprises. These spurs are also well removed from the NRHP-eligible primary rail line to the north (Atlanta & Charlotte Air Line) and do not contribute to the significance of that historic transportation route. Regardless of NRHP eligibility status, Historic Resource No. 2 will not be impacted by the current project.

4.3 Potential Project Effects

Assuming the USACE and HPD agree that Historic Resource Nos. 1 and 2 are ineligible for the NRHP, the proposed stream impacts project will have no effect on properties eligible for the NRHP.

4.4 Future Actions

Assuming the review agencies agree that Historic Resource Nos. 1 and 2 are ineligible for the NRHP, no additional cultural resources work is advised for these properties or the proposed 4303 Pleasantdale Road stream impacts project.

5.0 BIBLIOGRAPHY

- Civil War Sites Advisory Commission
1993 Study Area USGS Quadrangle Maps. In: *Civil War Site Advisory Commission Report on the Nation's Civil War Battlefields*. National Park Service, Washington, D.C.
- 2010 *Update to the Civil War Sites Advisory Commission Report on the Nations's Civil War Battlefields, State of Georgia*. National Park Service, Washington, D.C. Davis, G.B., L. J. Perry, and J.W. Kirkley, compiled by C.D. Cowles
- Clark, W. Z. and A. C. Zisa
1976 *Physiographic Map of Georgia*. Georgia Department of Natural Resources, Atlanta, Georgia.
- Davis, G.B., L. J. Perry and J. W. Kirkley, compiled by C. D. Cowles
1983 *Atlas to Accompany the Official Records of the Union and Confederate Armies*. Reprint of the 1891-1895 edition. The Fairfax Press, New York.
- DeFrancisco, N.M., S.E. West, J.A. Jenkins and P.D. Jackson
2019 *A Phase I Archaeological Survey for the I-285 Eastside Express Lanes, DeKalb County, Georgia*. TerraXplorations, Inc. Tuscaloosa, Alabama.
- Federal Register
1983 *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* Vol. 48, No. 190, pp. 44716-44742.
- Georgia Council of Professional Archaeologists
2019 *Georgia Standards and Guidelines for Archaeological Surveys*. Online document at: http://georgia-archaeology.org/GCPA/standards_for_survey/.
- Natural Resources Conservation Service (NRCS)
2024 Web Soil Survey. Website at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed May 7, 2024.
- Scaife, W.R.
1993 *The Campaign for Atlanta*. William R. Scaife, Atlanta, Georgia.
- Wharton, C. H.
1978 *The Natural Environments of Georgia*. Georgia Department of Natural Resources, Atlanta, Georgia.

APPENDIX A - PROJECT SHOVEL TEST LOG

Table A-1 Project Shovel Test

Transect	Shovel Test	Soils Depth, Color and Texture
1	1-2	No excavation. Existing building.
1	3	No excavation. Parking lot/landscaped area.
1	4	No excavation. Steep slope/drainageway/creek.
1	5	No excavation. Railroad berm.
2	1-2	No excavation. Existing building.
2	3	No excavation. Parking lot/landscaped area.
2	4	No excavation. Drainageway/creek.
2	5	No excavation. Steep slope.
3	2	No excavation. Existing building.
3	3	No excavation. Parking lot/landscaped area.
3	4-5	0-20 cm grayish-brown sandy loam over yellowish-red sandy clay
3	5.5	0-10 cm grayish-brown humus/loam over red clay
3.5	4	No excavation. Drainageway.
3.5	5	0-20 cm grayish-brown sandy loam over reddish-brown sandy clay loam, 20-30 cm red sandy clay
3.5	6	0-18 cm mottled grayish-brown/reddish-brown/yellowish-red humus/sandy clay loam over red clay
4	2	No excavation. Existing building.
4	3	No excavation. Parking lot/landscaped area.
4	4	0-20 cm grayish-brown sandy loam over yellowish-red clay
4	5	No excavation. Drainageway.
4	6	No excavation. Steep slope.

APPENDIX B - PRINCIPAL INVESTIGATOR'S RESUME

ROBERT S. WEBB

*President
Senior Principal Archeologist*

EDUCATION: M.A., Anthropology, University of Tennessee, 1977
B.A., Anthropology, University of Tennessee, 1975

PROFESSIONAL MEMBERSHIPS: Southeastern Archeological Conference, Georgia Council of Professional Archeologists, The Society for Georgia Archaeology, Society for American Archaeology, Tennessee Council for Professional Archaeology, Archaeological Society of South Carolina

CAREER SUMMARY

Mr. Webb has over 30 years of professional experience in cultural resource management studies. He is the president and principal archeologist of the firm. Mr. Webb has expertise in cultural resources identification, evaluation, data recovery and other areas of resource management. He is also a trained physical anthropologist and bio-statistician. Mr. Webb served as senior archeologist and cultural resources assessment department manager at Law Environmental, Inc. from 1990 through 1993. He owned a cultural resources management firm from 1985 until joining Law Environmental, Inc. in 1990. Mr. Webb established R.S. Webb & Associates in January 1994.

SELECTED PROJECTS

Unless otherwise noted, Mr. Webb served as principal investigator on the selected projects below.

Reservoir Projects

Cultural resources survey, Carroll County raw water supply reservoir, Carroll County, Georgia (748 acres)

Cultural resources survey, testing and data recovery, Walton County raw water supply reservoir system, Walton County, Georgia (1,600 acres)

Cultural resources survey, testing and data recovery, City of Canton raw water supply reservoir system, Cherokee County, Georgia (350 acres)

Cultural resources survey and testing, Tired Creek recreational reservoir, Grady County, Georgia (1,500 acres)

Cultural resources survey and testing, South Fulton County raw water supply reservoir system, Fulton County, Georgia (625 acres)

Cultural resources survey and testing, Richland Creek raw water supply reservoir, Paulding County, Georgia (500 acres)

Cultural resources reconnaissance surveys, Glades Reservoir alternatives analysis, Hall County, Georgia

Cultural resources survey, Lake Chastain water supply reservoir, Gilmer County, Georgia (40 acres)

Cultural resources survey, testing and data recovery, Blue Creek reservoir, White County, Georgia (100 acres)

Cultural resources reconnaissance surveys, Tallapoosa Basin, West Georgia Regional reservoir alternatives analysis, Haralson County, Georgia

Cultural resources survey, City of Newnan reservoir improvements, Coweta County, Georgia (160 acres)

Cultural resources survey and testing, Bear Creek raw water supply reservoir system, Newton County, Georgia (1,500 acres)

Cultural resources survey and testing, Henry County raw water supply reservoir system, Henry and Butts Counties, Georgia (1,650 acres)

Cultural resources survey, testing and data recovery, City of Griffin raw water supply reservoir system, Pike County, Georgia (450 acres)

Cultural resources survey, Henry County raw water supply reservoir system, Henry and Spalding Counties, Georgia (1,000 acres)

Cultural resources survey, testing and data recovery, Lake MacIntosh raw water supply reservoir system, Fayette and Coweta Counties, Georgia (650 acres)

Data recovery at nine prehistoric sites, Henry County raw water supply reservoir system, Henry and Spalding Counties, Georgia

Cultural resources survey, Horton Creek raw water reservoir and dam site, Fayette County, Georgia (800 acres)

Cultural resources survey, Town Creek raw water supply reservoir and dam site, Jones County, Georgia (750 acres)

Testing at a Historic Creek village and a late 19th/early 20th century cemetery, Town Creek raw water supply reservoir, Jones County, Georgia

Cultural resources survey and testing, Cornish Creek raw water supply reservoir and dam site, Newton County, Georgia (1,000 acres)

Data recovery at three prehistoric sites, Cornish Creek raw water reservoir and dam site, Newton County, Georgia

Cultural resources survey, testing, and data recovery, Yellow Creek raw water supply reservoir and dam site, Cherokee County, Georgia (330 acres)

Data recovery at an Archaic and Woodland period camp/quarry site, Pates Creek raw water supply reservoir, Henry County, Georgia

Cultural resources survey, Shoal Creek raw water supply reservoir and dam site, Clayton County, Georgia (450 acres)

Cultural resources survey, Ellijay-Gilmer raw water supply reservoir and dam site, Gilmer County, Georgia (300 acres)

Cultural resources survey, Hudson River raw water supply reservoir and dam site, Banks County, Georgia (570 acres)

Cultural resources survey, Rush Creek raw water supply reservoir and dam site, Meriwether County, Georgia (80 acres)

Cultural resources survey and testing, Hazel Creek raw water supply reservoir and dam site, Habersham County, Georgia (350 acres)

Cultural resources literature and records search, water supply reservoir alternatives study, Lamar County, Alabama

Airports

Cultural resources survey, selected airport site, Harris County, Georgia (25 acres)

Cultural resources survey, selected airport site, Coweta County, Georgia (20 acres)

Cultural resources survey, selected airport site, Lumpkin County, Georgia (150 acres)

Cultural resources survey, selected airport site, Upson County, Georgia (220 acres)

Cultural resources survey and testing, Cartersville Airport strip extension project, Bartow County, Georgia (60 acres)

Cultural resources survey, Gwinnett County airport strip replacement project, Lawrenceville, Georgia (250 acres)

Cultural resources survey, Tom B. David Airport strip extension project, Calhoun, Georgia (110 acres)

Development Projects

Cultural resources survey, Haile Gold Mine site, Lancaster County, South Carolina (553 acres)

Cultural resources testing at 13 sites, Haile Gold Mine site, Lancaster County, South Carolina

Cultural resources survey, Harrison Tract industrial development site, Washington County, Georgia (448 acres)

Cultural resources survey, Miller Tract industrial development site, Washington County, Georgia (225 acres)

Cultural resources survey, Lovett School tract and HAER documentation of Civil War earthwork 9FU402, Fulton County, Georgia (HAER No. GA-158)

Cultural resources survey and testing, Bridgeport development site, Coweta County, Georgia (1,044 acres)

Cultural resources survey and testing, Wateree industrial development site, Richland County, South Carolina (300 acres)

Cultural resources survey and testing, Burt Creek development site, Dawson County, Georgia (969 acres)

Cultural resources survey and testing, Corinth development site, Coweta County, Georgia (800 acres)

Cultural resources survey and testing, Spring Tract development site, Spaulding County, Georgia (1,820 acres)

Cultural resources survey and research/recordation of historic granite quarry, industrial mining site, Hancock County, Georgia (500 acres) (Senior Principal Consultant)

Cultural resources survey, Barnsley Gardens development site, Bartow County, Georgia (1,283 acres) (Senior Principal Consultant)

Cultural resources survey and data recovery (LaBelle gold mine), Prominence Point development site, Cherokee County, Georgia (450 acres) (Senior Principal Consultant)

Cultural resources survey and HAER Documentation (DeFours gold mine), Mirror Lake development site, Douglas County, Georgia (600 acres)

Cultural resources survey, testing, and data recovery (9GW476), River Club development site, Gwinnett County, Georgia (750 acres)

Cultural resources survey, testing, and data recovery (9GW70), Rivermoore development site, Gwinnett County, Georgia (700 acres)

Cultural resources survey and testing, Cypress Harbour development site, Jasper County, South Carolina (90 acres)

Cultural resources survey, Perigrine Point development tract, Beaufort County, South Carolina (6 acres)

Phase II testing at 38BK1002, Crowfield Plantation, Berkeley County, South Carolina

Cultural resources survey and testing, Silver Creek development site, Forsyth County, Georgia (700 acres)

Cultural resources survey, Trenton industrial development site, Edgefield County, South Carolina (470 acres)

Cultural resources survey, Kingswood South development site, Fulton County, Georgia (83 acres)

Cultural resources survey, Matrix Parcel 15 development site, Greenville County, South Carolina (50 acres)

Cultural resources survey, Abbots Bridge Road development site, Fulton County, Georgia (20 acres)

Cultural resources survey and testing, Lugoff industrial development site, Kershaw County, South Carolina (250 acres)

Archival research and archeological testing, St James Hotel renovation and expansion project, Selma, Alabama (Project Manager)

Cultural resources survey, evaluative testing, and data recovery (Sixes gold mine) Harbor View (aka Bridge Mill) development site, Cherokee County, Georgia (1,400 acres)

Evaluative testing at two historic house sites, Sugarloaf Farm, Gwinnett County, Georgia

Cultural resources survey and data recovery, Ballantyne golf course community, Mecklenburg County, North Carolina (750 acres)

Archival research, archeological monitoring and archeological data recovery, Atlanta Federal Center (Richs Department Store site), Atlanta, Georgia

Cultural resources survey, (confidential) golf course community, Beaufort County, South Carolina (90 acres)

Cultural resources survey and testing, I-20 mall site, Dekalb and Rockdale Counties, Georgia (1,250 acres)

Cultural resources survey, Columbia County community center, Columbia County, Georgia (50 acres)

Cultural resources survey, Columbia County public school site, Columbia County, Georgia (70 acres)

Cultural resources survey and testing, BMW automobile manufacturing plant site, Spartanburg County, South Carolina (1,500 acres)

Cultural resources reconnaissance surveys, alternative Mercedes-Benz automobile manufacturing plant sites, Alamance County, North Carolina and Berkeley County, South Carolina (2,500 acres)

Cultural resources reconnaissance survey, five Resolution Trust properties, Columbia, South Carolina (15 acres)

Cultural resources reconnaissance survey, American-Italian Pasta Company, Columbia, South Carolina (250 acres)

Cultural resources reconnaissance survey, Bona Allen development project, Buford, Georgia (320 acres)

Cultural resources survey, Union Camp facility, Prattville, Alabama (50 acres)

Cultural resources survey and testing, Technology Parkway development, Floyd County, Georgia (800 acres)

Cultural resources survey and testing, Publix Distribution Center development, Gwinnett County, Georgia (150 acres)

Cultural resources survey, International Paper Facility, Corinth, New York (50 acres)

Cultural resources literature/records review, industrial development site, Texas City, Texas

Cultural resources survey, Sawmill Place development site alternatives study, Columbus, Ohio

Cultural resources reconnaissance survey, Elbow Road development project, Chesapeake, Virginia (150 acres)

Cultural resources survey, Interrose industrial development site, Georgetown County, South Carolina (400 acres)

Cultural resources survey and testing, American Okenite industrial development site, Orangeburg County, South Carolina (250 acres)

Cultural resources survey and testing, Chapel Hill golf course, Douglas County, Georgia (150 acres)

Archeological testing at Crowfield Plantation for Westvaco Development Corporation, Summerville, South Carolina

Cultural resources survey and testing, Vereen Memorial Gardens, Horry County, South Carolina (120 acres)

Cultural resources survey, Tiger Creek stream channelization project, Fort Benning, Georgia (4 acres)

Cultural resources survey, Moccasin Creek lake site, Union County, Georgia (60 acres)

Cultural resources reconnaissance survey, Plantation Centre site, Bibb County, Georgia (90 acres)

Highways

Cultural resources survey, Annistown Road improvements corridor, Gwinnett County, Georgia

Evaluative testing at Site 9GW347, Annistown Road improvements corridor, Gwinnett County, Georgia

Data recovery at a prehistoric quartz quarry site and 19th century farmstead site, Ronald Reagan Parkway, Gwinnett County, Georgia

Cultural resources survey, Old Madison Pike road-widening project, Huntsville, Alabama

Cultural resources survey, Four Mile Post road-improvement project, Huntsville, Alabama

Cultural resources survey, Kentucky Highway 15 road-widening project, Hazard, Kentucky

Cultural resources literature and records search, Valdosta by-pass alternatives study, Valdosta, Georgia

Historic Cemetery Delineations and Relocations

Relocation of the Leach Cemetery, Haile Gold Mine, Lancaster County, South Carolina

Delineation and relocation of the John-Luiza Stanton Cemetery, Walton County, Georgia

Delineation of St. John's Church Cemetery, Cobb County, Georgia

Delineation of the Murdock Family Cemetery, Cobb County, Georgia

Archival research and delineation of the Brantley and Daly Cemeteries, Wildwood Park, Cobb County, Georgia

Delineation of the Jordan Family Cemetery, Washington County, Georgia

Delineation of the Holbrook Family Cemetery, Forsyth County, Georgia

Archival research, delineation, and relocation of the Hudson-Wood Cemetery, City of Atlanta, Georgia

Archival research, delineation, and relocation of the Harrison-Addington-Mallard Cemetery, Jackson County, Georgia

Delineation and relocation of the Martin Family Cemetery, Dekalb County, Georgia

Delineation and relocation of two historic cemeteries, Allendale County, South Carolina

Archival research and delineation of the Farmer Street Cemetery, Newnan, Georgia

Archival research, delineation and relocation of the Brooks Family Cemetery, Pickens County, Georgia

Archival research and delineation of the Alexander Family Cemetery, Mecklenburg County, North Carolina

Archival research and delineation at Bethel Baptist Church Cemetery, Cobb County, Georgia

Archival research and delineation of an abandoned cemetery, Anderson County, South Carolina

Archival research and delineation of the Franklin-Hamilton Cemetery, Cobb County, Georgia

Archival research and delineation of the Strickland Cemetery, Forsyth County, Georgia

Archival research and delineation of the Hiram Road Cemetery, Cobb County, Georgia

Archival research and delineation of the Harmony Cemetery, Gwinnett County, Georgia

Archival research and delineation of Thompson Cemetery, Fulton County, Georgia

Archival research and delineation of the McCurdy-Rawlins-Boring Cemetery, Gwinnett County, Georgia

Archival research and delineation of the Barham Cemetery, Henry County, Georgia

Archival research and delineation of the Adams-Adkins Cemetery, Henry County, Georgia

Archival research and delineation of the Woodward-Puch Cemetery, Henry County, Georgia

Archival research and delineation of the Grice Cemetery, Henry County, Georgia

Archival research and delineation of an abandoned 19th century cemetery, Madison County, Alabama

Archival research and delineation of a late 18th century cemetery, Spartanburg, South Carolina

Archival research and delineation of the Lost Mountain Baptist Church Cemetery, Cobb County, Georgia

Archival research and delineation of the Shiloh Church Cemetery, Cobb County, Georgia

Archival research and delineation of the Turner-Sewell Cemetery, Cobb County, Georgia

Archival research and delineation of the Matthew Strickland Gravesite, Gwinnett County, Georgia

Archival research and delineation of the Morris Cemetery and Sarah Webb Gravesite, Fulton County, Georgia

Archival research and delineation of the Moon Cemetery, Cobb County, Georgia

Archival research, delineation and relocation of the Miles Cemetery, Jackson County, Florida

Archival research, delineation and relocation of two 19th century cemeteries, Spartanburg County, South Carolina.

Archival research, delineation and relocation of the Freshwater Resort Cemetery, Calhoun Falls, South Carolina

Archival research, delineation and relocation of the Harris and McClure Cemeteries, Cabarrus County, North Carolina

Archival research, delineation and relocation of the Smithfield Cemetery, Cabarrus County, North Carolina

Archival research, delineation and relocation of the Rock Creek Cemetery, Guilford County, North Carolina

National Priority List Hazardous Waste Sites

Cultural resources survey (Phase Ia), Fort Dix sanitary landfill site, Fort Dix, New Jersey, (126 acres)

Cultural resources survey (Phase 2b), Fort Dix sanitary landfill site, Fort Dix, New Jersey, (1 acre)

Cultural resources literature review, dry cleaning facility, Fort Riley, Kansas

Cultural resources literature and records search, selected sites, Griffiss Air Force Base, New York

Radioactive Waste Facilities (Proposed Locations)

Cultural resources survey and testing, proposed North Carolina Low-Level Radioactive waste disposal facility site, Wake and Chatham Counties, North Carolina (850 acres)

Cultural resources survey and testing, proposed North Carolina Low-Level Radioactive waste disposal facility site, Richmond County, North Carolina (2,000 acres)

State of Georgia

Cultural resources survey and testing, Richard B. Russell State Park golf course, Elbert County, Georgia (430 acres)

Cultural resources survey, Gordon State Park golf course, Tattnall County, Georgia (90 acres)

Various public outreach site visits for the Georgia Council of American Indian Concerns

More than 20 cultural resources surveys conducted for State agencies under the Georgia Environmental Policy Act

Solid Waste Landfill Sites

- Data recovery, solid waste landfill site, Banks County, Georgia
- Cultural resources survey, solid waste landfill site, Catawba County, North Carolina (350 acres)
- Cultural resources survey, two solid waste landfill sites, Chickasaw County, Mississippi (700 acres)
- Cultural resources survey, Superior Sanitation solid waste landfill site, Chatham County, Georgia (742 acres)
- Cultural resources survey, BFI regional solid waste landfill site, Lawrence County, Alabama (500 acres)
- Cultural resources reconnaissance survey, proposed solid waste landfill site, Forsyth County, Georgia (650 acres)
- Cultural resources survey and testing, solid waste landfill site, DeKalb County, Georgia (150 acres)
- Data recovery at a soapstone quarry site, solid waste landfill site, DeKalb County, Georgia
- Cultural resources survey and testing, solid waste landfill site, Spartanburg County, South Carolina (90 acres)
- Cultural resources survey, solid waste landfill site, Florence County, South Carolina (600 acres)
- Cultural resources survey, solid waste landfill site, Louisville, Kentucky (300 acres)
- Cultural resources survey, solid waste landfill site, Mt. Pleasant, Tennessee (15 acres)
- Cultural resources survey, solid waste landfill site, Blount County, Tennessee (50 acres)
- Cultural resources survey, solid waste landfill site, Johnson City, Tennessee (20 acres)
- Cultural resources survey, solid waste landfill site, Jackson County, Florida (2 acres)
- Cultural resources survey, solid waste landfill site, Jasper County, South Carolina (250 acres)
- Cultural resources survey, solid waste landfill site, Harris County, Texas (500 acres)

U.S. Army Corps of Engineers Waterways

- Testing of two prehistoric sites, Tennessee-Tombigbee Waterway, Monroe County, Mississippi

U.S. Forest Service Timber Sale Areas

- Cultural resources survey, Armuchee Ridges Project, Chattahoochee National Forest, Georgia (2,776 acres)
- Cultural resources survey, Chattahoochee National Forest, Georgia (990 acres)
- Cultural resources survey, timber stands, Sumter National Forest, Oconee County, South Carolina (1,146 acres)

Five cultural resources surveys, Nantahala National Forest, North Carolina (1,667 acres)

Cultural resources survey, Pisgah National Forest, North Carolina (349 acres)

Six cultural resources surveys, Oconee National Forest, Georgia (18,268 acres)

Utilities Projects

Cultural resources survey, proposed Old Atlanta Road transmission line, Oglethorpe Power Corporation, Forsyth County, Georgia

Evaluative testing at Site 9FO218, proposed Old Atlanta Road transmission line, Oglethorpe Power Corporation, Forsyth County, Georgia

More than 20 other cultural resources survey and testing projects, transmission line corridors and substation sites across Georgia, Oglethorpe Power Corporation, Decatur, Georgia

Cultural resources survey and evaluative testing, sewer line extensions, Davidson County, Tennessee

Cultural resources survey, water treatment plant site and water intake corridor, Banks County, Georgia

Cultural resources survey (Phase Ia), proposed Mohawk Power Corporation gas pipeline, Jefferson County, New York

Cultural resources reconnaissance survey, transmission line alternatives study, Curles Neck, Virginia

Cultural resources literature and records search, U.S. Generating Company power facilities alternatives study, various sites across Georgia

Cultural resources survey and testing, Butler Creek sewer line, Richmond County, Georgia

Cultural resources survey, realignment monitoring, in-place preservation planning, public meeting, agency presentation and evaluation of impacts to the Augusta Canal National Historic Landmark and a prehistoric shell midden site, Richmond water line and intake, Richmond and Columbia Counties, Georgia

Cultural resources survey, Proctor Creek MARTA rail line, Atlanta, Georgia

Evaluative testing of a 19th century landfill, Proctor Creek MARTA station, Atlanta, Georgia

Cultural resources survey, north, east and west MARTA rail extensions, Atlanta, Georgia

Cultural resources survey, East Point MARTA rail line, Atlanta, Georgia

Cultural resources survey and testing, Brookhaven MARTA rail line and station, Atlanta, Georgia

Data recovery at historic Johnstown, Lennox Square MARTA station, Atlanta, Georgia

Cultural resources survey, gas pipeline, Big Thicket, Texas (field director)

Cultural resources survey, gas pipeline, Calcasieu Parrish, Louisiana (field director)

Cultural resources survey, Wildwood Park water line and water treatment site, Columbia County, Georgia

Cultural resources surveys, Phases I and II, sewer line improvements, Commerce, Georgia

Cultural resources survey, water system improvements, Senoia, Georgia

Cultural resources survey, sewer and water system improvements, Tallapoosa, Georgia

FCC Checklist Studies (Cultural Resources)

Literature review and field survey of over 4,000 communication tower sites in Georgia, North Carolina, South Carolina, Tennessee, Alabama, Florida and Virginia

Wastewater Treatment Projects

Cultural resources reconnaissance survey, land application site, Spalding County, Georgia (750 acres)

Cultural resources survey and testing, Piedmont Park and White Park CSO projects, Atlanta, Georgia

Cultural resources survey, land application site, Turner County, Georgia (264 acres)

Cultural resources survey, land application site, Rochelle, Georgia (10 acres)

Cultural resources survey, land application site, Blackshear, Georgia (90 acres)

U.S. Army Corps of Engineers (USACE)
NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)

33 CFR 330. The proponent agency is CECW-CO-R.

**Form Approved -
 OMB No. 0710-0003
 Expires: 02-28-2022**

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Program of the Corps of Engineers (Corps); Final Rule 33 CFR 320-332.

Principal Purpose Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.

Routine Uses This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.

Disclosure Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Mr. Mitchell Middle - D. Last - Stephens Company - Metro Green, LLC Company Title - President E-mail Address - mds@mitchelldstephens.com	8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>) First - Mr. Stephen Middle - F. Last - Modica, SPWS Company - Gaia Environmental Consulting, LLC E-mail Address - Stephen@GaiaEnvironmental.Co
6. APPLICANT'S ADDRESS Address- 4351 Pleasantdale Road City - Atlanta State - GA Zip - 30340 Country - U.S.A.	9. AGENT'S ADDRESS Address- 109 Birchwood Pass City - Canton State - GA Zip - 30114 Country - U.S.A.
7. APPLICANT'S PHONE NOs. with AREA CODE a. Residence b. Business c. Fax d. Mobile (770) 361-8258	10. AGENT'S PHONE NOs. with AREA CODE a. Residence b. Business c. Fax d. Mobile (404) 922-3573

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Stephen F. Modica to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

SIGNATURE OF APPLICANT

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME or TITLE (*see instructions*)

4303 Pleasantdale Road

22. QUANTITY OF WETLANDS, STREAMS, OR OTHER TYPES OF WATERS DIRECTLY AFFECTED BY PROPOSED NATIONWIDE PERMIT ACTIVITY
(see instructions)

Acres	Linear Feet	Cubic Yards Dredged or Discharged
0.047	421	n/a

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. (see instructions)

n/a

24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity.

There will be no indirect impacts to WOTUS because this project will impact 421 linear feet (0.047-acre) of intermittent stream and thus will not disrupt necessary life cycle movements of aquatic species indigenous to the project area. Proposed pipework installation in WOTUS will be done so following guidance provided by the Savannah District 2021 NWP Regional Conditions (“2021 NWP RCs”) and, more specifically, RC.A.1-5; RC.C.1.-11.; RC.E.2-4 & 6; RC.F.1, and USACE Appendix B. Culvert Designs That Restrict Movement of Fish and Other Aquatics & GAEPD 401 Water Quality Certification (Att. III – GAEPD 2020 Water Quality Certification Letter).

Stream impacts will require 2018 Credits (315.75) and Legacy Credits (2273.40) (Att. III – 2021 SOP Worksheets for Stream Impacts). A USACE SoCA will be forwarded for your review as soon as possible. No other NWP(s), regional general permit(s), or individual permit(s) will be used to authorize any part of the proposed project or any related activity.

25. Is any portion of the nationwide permit activity already complete? Yes No If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. (see instructions)

According to a March 20 and June 26, 2024, USFWS Official Species List for 4303 Pleasantdale Road, the Tricolored Bat, a proposed endangered species; Whooping Crane, an experimental population, non-essential; Michaux's Sumac, an endangered species; and the Monarch Butterfly, a Candidate species could potentially be located on, or in close proximity to, the property. No critical habitats or National Wildlife Refuges were identified near the property (Att. IV - USFWS Official Species List for 4303 Pleasantdale Road).

SPECIES PROFILES

MAMMALS

Tricolored Bat (*Perimyotis subflavus*)

The tricolored bat is a small insectivorous bat that is distinguished by its unique tricolored fur and often appears yellowish to nearly orange. The once common species is wide ranging across the eastern and central United States and portions of southern Canada, Mexico and Central America. During the spring, summer and fall - collectively referred to as the non-hibernating seasons - tricolored bats primarily roost among live and dead leaf clusters of live or recently dead deciduous hardwood trees. In the southern and northern portions of the range, tricolored bats will also roost in Spanish moss (*Tillandsia usneoides*) and *Usnea trichodea* lichen, respectively. In addition, tricolored bats have been observed roosting during summer among pine needles, eastern red cedar (*Juniperus virginiana*), within artificial roosts like barns, beneath porch roofs, bridges, concrete bunkers, and rarely within caves. Female tricolored bats exhibit high site fidelity, returning year after year to the same summer roosting locations. Female tricolored bats form maternity colonies and switch roost trees regularly. Males roost singly. During the winter, tricolored bats hibernate - which means that they reduce their metabolic rates, body temperatures and heart rate - in caves and mines; although, in the southern United States, where caves are sparse, tricolored bats often hibernate in road-associated culverts, as well

as sometimes in tree cavities and abandoned water wells. Tricolored bats exhibit high site fidelity with many individuals returning year after year to the same hibernaculum. Tricolored bats are opportunistic feeders and consume small insects including caddisflies, moths, beetles, wasps, flying ants and flies. Tricolored bats mate in the fall, hibernate in the winter and emerge in the spring. They then migrate to summer habitat where females form maternity colonies, where young are born. Bats disperse once young can fly, and then return to winter habitats to swarm, mate and hibernate. Tricolored bats exhibit site fidelity to both winter and summer roost habitat. The oldest tricolored bat on record is a male recaptured 14.8 years, after it was originally captured and banded. Male and female tricolored bats converge at cave and mine entrances between mid-August and mid-October to swarm and mate. Adult females store sperm in their uterus during the winter and fertilization occurs soon after spring emergence from hibernation. Females typically give birth to two young, rarely one or three between May and July. Young grow rapidly and begin to fly at 3 weeks of age and achieve adult-like flight and foraging ability at 4 weeks. Adults often abandon maternity roosts soon after weaning, but young remain longer. Tricolored bats are considered juveniles, called subadults, when entering their first hibernation and most probably do not mate their first fall.

Forage and summer habitat likely do not exist on or near the subject property due to highly urbanized, industrialized and/or impervious surfaces in close proximity to the subject property.

BIRDS

Whooping Crane (*Grus americana*)

The whooping crane occurs only in North America, specifically within Canada and the United States, and is North America's tallest bird. Historically, more than 10,000 whooping cranes once populated North America. Its north to south range included Canada and the United State to Mexico, and its east to west range included the Rocky Mountains to the East Coast, as documented in the 5-year review in 2011. Population declines were caused primarily by shooting and destruction of habitat in the prairies from agricultural development, as was noted in the international recovery plan in 2007. The international recovery plan also notes that all whooping cranes alive today have come from the all-time low of 15 whooping cranes that were wintering at Aransas National Wildlife Refuge in Austwell, Texas in 1941. This is currently the best place to find this species during the winter, as noted by Cornell University in 2019. Cornell University also notes that in the summer, this species can be found at Wood Buffalo National Park in Canada and that Nebraska's Platte River often hosts this species during migration. The whooping crane breeds, migrates, winters and forages in a variety of habitats, including coastal marshes and estuaries, inland marshes, lakes, open ponds, shallow bays, salt marsh and sand or tidal flats, upland swales, wet meadows and rivers, pastures and agricultural fields. Summer foods include large nymphal or larval forms of insects, frogs, rodents, small birds, minnows and berries, as R. P. Allen documented in 1956, and was later confirmed by N. Novakowski in 1966 and D.G. Bergeson and others in 2001. Allen and many other researchers documented that the whooping crane winter diet consists mainly of blue crabs (*Callinectes sapidus*), clams (*Tagelus constricta*) and Carolina wolfberry (*Lycium carolinianum*). Carolina wolfberry (*L. carolinianum*) is an important food for whooping cranes in the fall. Whooping cranes are tall, white birds with long necks and long legs. They have stout, straight bills. Their body is slender and widens to a plump bustle by the tail. When in flight, the wings of a whooping crane are broad and the neck is fully extended. Their wingspan is more than seven feet. This species is monomorphic; both sexes stand about 5 feet (1.5 meters) in height when standing erect. Every two to three years, whooping cranes complete a full flightless molt of primary flight feathers, which makes them more vulnerable to predation threats and perhaps prompts them to change their habitat selection from open wetlands to areas with a higher concentration of cover, as noted by A. Lacy and D. McElwee in 2016. Whooping cranes are a long-lived species, with current estimates suggesting a maximum longevity of at least 30 years for individuals in the wild, as documented by C. Mirande and others in 1993. A.F. Moody documented in 1931, and F. McNulty later confirmed in 1966, that captive individuals can live 35 to 40 years. The historical range of the whooping crane from north to south range included Canada and the United State to Mexico, and its east to west range included the Rocky Mountains to the East Coast.

Habitat for the Whooping Crane does not exist in close proximity to the subject property.

INSECTS

Monarch Butterfly (*Danaus plexippus*)

The monarch is a species of butterfly in the order Lepidoptera (family Nymphalidae) that occurs in North, Central, and South America; Australia; New Zealand; islands of the Pacific and Caribbean, and elsewhere. Adult monarch butterflies are large and conspicuous, with bright orange wings surrounded by a black border and covered with black veins. The black border has a double row of white spots, present on the upper side and lower side of forewings and hindwings. Adult monarchs are sexually dimorphic, with males having narrower wing venation and scent patches. The bright coloring of a monarch is aposematic, as it serves as a warning to predators that eating them can be toxic. Courtship behavior of monarchs has been described in detail and consists of a mating ritual, where a male grasps the female in the air and brings her down to the ground, where mating occurs. Mating occurs several times, both during the summer and at the overwintering sites. Mating attempts frequently fail because of resisting by females. Monarchs lay their eggs singly on the underside of leaves and sometimes on the flowers of different milkweeds (Asclepidaceae: *Asclepias*). Recent analysis of genomes of migratory and non-migratory monarchs shows that monarchs originated in North America from a migratory ancestor. During the breeding season, monarchs lay their eggs on their obligate milkweed host plant (primarily *Asclepias* spp.), and larvae emerge after two to five days. Larvae develop through five larval instars (intervals

between molts) over a period of 9 to 18 days, feeding on milkweed and sequestering toxic cardenolides as a defense against predators. The larva then pupate into chrysalis before closing 6 to 14 days later as an adult butterfly. There are multiple generations of monarchs produced during the breeding season, with most adult butterflies living approximately two to five weeks; overwintering adults enter into reproductive diapause (suspended reproduction) and live six to nine months. The pupa (chrysalis) is formed by the larva hanging on a substrate, such as underside of leaves and twigs, usually away from the host plant. When formed, it is green with gold markings. Development from egg to adult takes less than a month. In North America, the monarchs go through at least four generations a year before they start migrating south in the fall. Adults are strong fliers and can fly for 11 hours straight. In the fall, enough fat is stored in the adults to allow a continuous 1000 km (~620 miles) flight without feeding. Some make a journey of a total of 4000 km (~2500 miles) to reach overwintering sites in the Sierra Madre de Oriente, where they settle inside the coniferous forest of the state of Michoacán. Monarchs also fly across the Gulf of Mexico with overwater flights of 600 km (~375 miles). A tagging program was initiated by F. A. Urquhart of the Royal Ontario Museum in the 1950s and is continued to this day. It allowed scientists to determine the migration path of monarchs. Monarch butterfly larvae feed almost exclusively on milk weed, the plant from which they gain their poison. Adult monarchs live on a diet of nectar and water. Monarchs feed extensively on the way, accumulating body fat sufficient to last them through the winter. At the overwintering sites in Mexico, the monarchs spend over four months in a reproductive diapause. They feed and drink as the weather warms up but return to their resting sites. Monarchs begin to fly north in March, reproducing along the way. Migration north continues, with the second and third generations recolonizing the continent. The ability to navigate to the overwintering sites is genetic and is linked to time-compensated sun compass orientation. This ability requires constant recalibration of genetic program by changing surrounding. It is linked to the activity of the central complex, a midline structure consisting of protocerebral bridge and central body in Monarch's brain. Geomagnetic forces are probably used as monarchs get closer to their overwintering sites since the migratory monarchs' bodies contain higher quantities of magnetic material than non-migrating butterflies. The vicinity of overwintering sites in the Mexican Transvolcanic Range contains high level of magnetic anomalies, which probably help monarchs find them. Social behavior and pheromones probably also play a large role in choosing the overwintering site. Monarch toxicity has been linked to the toxicity of the plants upon which they feed. Monarchs oviposit on milkweeds of the genus *Asclepias* from which the caterpillars collect the cardiac glycosides toxic to birds. These substances are passed on to adult butterflies, which are also toxic. The idea of automimicry (that some monarchs are more toxic than others, but that the birds, unable to distinguish between the traits, avoid all of them) has been investigated. Apparently, there are costs and benefits to the ingestion of glycosides, since it was shown that monarch females prefer plants with intermediate cardenolide level, rejecting higher and lower level-containing plants. Monarchs are not endangered as a species due to many sedentary populations in the south of its range. However, the deforestation around their overwintering sites in Mexico puts the northeastern population of monarch and the remarkable phenomenon of migration in danger. For instance, in 2002 severe winter weather killed off an estimated 80 percent of monarchs in overwintering colonies in Sierra Chincua and Sierra Campanario, with some colonies reduced in size by 90 percent. A few years ago the controversy over the influence of Bt corn on monarch mortality arose. However, though mortality due to ingestion of corn pollen does occur, it has been shown that its effect on monarch population might not be as dramatic as was initially thought.

Habitat for the Monarch Butterfly does not likely exist in and around the subject property.

FLOWERING PLANTS

Michaux's Sumac (Michaux's Sumac)

Habitat for the Michaux's Sumac typically consists of dry, open, rocky, or sandy woodlands over mafic bedrock with high levels of calcium, magnesium, or iron; often on ridges and river bluffs. Georgia has two very small populations of dwarf sumac; three other populations were destroyed. One of the two existing sites was restored with plants rescued from that site before a construction project; the plants were later re-introduced. The restored population has only female-flowered plants, the other population has only male-flowered plants. The two populations are about 80 miles apart and, therefore, do not reproduce sexually. Efforts to produce fertile seed by manual pollination have not been successful.

Habitat including dry, open, rocky, or sandy woodlands over mafic bedrock suitable for Michauxii's Sumac is not present in the project area. The project area is comprised of a both topographically and developmentally-confined (e.g., several existing & abandoned railroad tracks, roadways, commercial/industrial businesses, etc.) intermittent stream and toe-of-slope wetland.

27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (see instructions)

In May 2024, R.S. Webb & Associates ("RSWA") conducted a cultural resources ("CR") literature review and Phase I CR field survey of two overlapping 100-meter ("m") study radii originating within the 4303 Pleasantdale Road development tract in DeKalb and Gwinnett Counties, Georgia. The study radii cover locations where sections of streams will be impacted by construction at 4303 Pleasantdale Road; these radii are defined as the "project area" or "study radii." In total, the project area covers approximately 5.1 hectares ("ha") (12.4 acres) and constitutes the project Area of Potential Effects ("APE"). Approximately 1.5 ha (3.6 acres) of the study radii are located within the project parent tract and constitute the APE for direct impacts, while the remaining 3.6 ha (8.8 acres) are outside the parent tract and comprise the APE for indirect impacts.

RSWA conducted the survey at the request of Gaia Environmental Consulting, LLC, who provided RSWA with maps/ drawings showing the study radii around the stream impact locations and the limits of the development tract. Areas within these radii are subject to USACE permitting. Due to this permitting, the project must comply with the National Historic Preservation Act (“NHPA”). Under the NHPA, a CR survey is conducted to determine if archeological and/or historic resources eligible for the National Register of Historic Places (“NRHP”) will be affected by a proposed project.

When found within the project APE, CR are assessed for significance using the NRHP eligibility criteria set forth in 36 CFR Part 60.4. The current cultural resources survey was conducted following guidelines set by the Georgia Council of Professional Archaeologists (2019) and the U.S. Secretary of the Interior (Federal Register 1983). Georgia Historic Preservation Division (“HPD”) offices closed to the public indefinitely on March 16, 2020; therefore, certain records/files not available online could not be reviewed. These sources include, but are not limited to, the National Register of Historic Places (“NRHP”), Identified Sites and DeKalb/Gwinnett County historic structure survey records/maps. Through Georgia’s Natural, Archaeological, and Historic Resources Geographic Information System (“GNAHRGIS”), records at the Georgia Archaeological Site File (“GASF”), University of Georgia in Athens were examined, including pertinent site forms and Laboratory of Archaeology manuscript/report files.

Historic structures/resources information available on GNAHRGIS was also reviewed. Previously collected data on early county historic structure surveys were reviewed in house. The NRHP, Georgia Centennial Farm listings and historic maps were queried online. Information on relevant land lotteries was examined through the Georgia State Archives online database. Aerial photographs were examined courtesy of the Digital Library of Georgia, Historicaerials.com and similar sources. Civil War Sites Advisory Commission resources (“CWSAC”) (1993, 2010), the Civil War military atlas (Davis et al.1983) and The Campaign for Atlanta (Scaife 1993) were consulted for the locations of relevant Civil War-era military actions or associated sites.

RSWA systematically surveyed the project APE for direct impacts for archeological resources employing surface and subsurface techniques on a 30-m grid. Exposed surfaces within the project APE were inspected for artifacts and surface features. Subsurface techniques included the excavation of 30-centimeter diameter screened shovel tests to sterile subsoil. Shovel test profiles were inspected and soil data recorded. Shovel testing was conducted at designated stations across the APE except where: impervious surfaces were present; land had been graded/disturbed to subsoil; sloping landforms of 15 percent slope or greater were present; or where wetlands/open water were encountered. Occasionally, shovel tests were offset slightly to avoid heavily disturbed locations. Shovel test intervals were reduced to 15-m intervals as needed to sample diminutive landforms with a moderate to high probability of containing archeological sites. RSWA used these methods to assess the condition and nature of archeological deposits and to evaluate resource significance based on NRHP eligibility criteria [36 CFR Part 60. (a-d)].

The historic resources field survey was designed to identify possible historic buildings and features across landscapes within the project APES for direct and indirect impacts. This survey included a pedestrian inspection of the APE for direct impacts for historic resources with surface and/or above-ground features. The APE for indirect impacts (i.e., beyond the parent tract boundaries) was inspected for similar features from the parent tract boundaries or from public rights-of-way. The APES were photographed to document their nature and condition. Historic (i.e., at least 50 years old) resources observed in the project APES were photographed, located via GPS and assessed for age, condition and NRHP eligibility.

According to the GNAHRGIS and National Park Service online databases, no NRHP-listed properties are located within 1.0 kilometer (km) of the project area. Likewise, no Georgia Centennial Farms, cemeteries or Civil War properties are within 1.0 km of the project area. The GNAHRGIS database however, indicates that at least 10 previous cultural resources investigations projects have been performed within 1.0 km of the project area. These projects were all related to Pleasantdale Road and/or Interstate 85, with the closest project being a section of Pleasantdale Road located approximately 572 m to the south (DeFrancisco et al. 2019). GASF/GNAHRGIS identify two recorded archeological sites located within 1.0 km of the study radii. Both sites are pre-contact scatters recorded by an avocational archeologist at an unknown date. Site forms provide no location maps; but GNAHRGIS places the closest of these sites, 9GW154, approximately 590 m northeast of the project area.

Sections of four rail spurs are located within the project APE for indirect impacts that were extended from the circa 1871 Atlanta & Charlotte Air Line corridor located approximately 1.4 km to the northwest. The Air Line railroad is now part of the Norfolk Southern Railway. Older rail corridors in Georgia are considered eligible for the NRHP under Criteria (a) and (c) (Georgia Department of Transportation 2018), but no historical context is known for middle to late 20th century rail spurs established in support of localized commercial/industrial enterprises. These corridors will not be impacted by the current stream impact project.

No archeological resources were recorded within the limits of the current APE for direct impacts. Two historic resources were recorded within the project APES for direct and indirect impacts. Historic Resource No. 1 is an abandoned sewer line junction pit in the APE for direct impacts, while Historic Resource No. 2 includes sections of four rail spurs in the eastern APE for indirect impacts that tie into the Norfolk Southern Railway main line 1.4 km to the north.

Historic Resource No. 1 is recommended ineligible for the NRHP under all criteria due to its abandonment, loss of components and isolation from the nearby modern active sewer line. The four sections of rail spurs comprising Historic Resource No. 2 are considered ineligible for the NRHP under all criteria. These late historic rail spurs likely retain marginal historic integrity, but there is no clear context for middle to late 20th century rail spurs established in support of late historic to modern commercial/industrial enterprises. These spurs are also well removed from the NRHP-eligible primary rail line to the north and do not contribute to the significance of that historic transportation route. Regardless of NRHP eligibility status, Historic Resource No. 2 will not be impacted by the current project.

Assuming that the USACE and HPD agree that Historic Resource Nos. 1 and 2 are ineligible for the NRHP, no additional cultural resources work is advised for these properties or the proposed 4303 Pleasantdale Road stream impacts project. For the complete Phase I CR survey for 4303 Pleasantdale Road, please refer to Attachment V – Historic Properties Information for 4303 Pleasantdale Road.

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

n/a

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project? Yes No

If "yes", please provide the date your request was submitted to the Corps district:

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (see instructions)

Please refer to cover letter and attachments for the Delineation Review of Aquatic Resources, Pre-Construction Notification and Nationwide Permit 39 Application for 4303 Pleasantdale Road.

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army
Nationwide Permit (NWP) Pre-Construction Notification (PCN)**

Blocks 1 through 4. To be completed by the Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant's Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed Nationwide Permit Activity Name or Title. Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use. List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

Block 19. Description of the Proposed Nationwide Permit Activity. Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20. Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

Block 21. Purpose of Nationwide Permit Activity. Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity. For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distant crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands When Pre-Construction Notification is Required. Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one-for-one replacement ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete? Describe any work that has already been completed for the NWP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity. If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River. If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit <http://www.rivers.gov/>.

Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408. If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.

Block 30. Other Information Required For Nationwide Permit Pre-Construction Notifications. The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

- * NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- * NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- * NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
- * NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification.
- * NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
- * NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
- * NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.
- * NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

If more space is needed, attach an extra sheet of paper marked Block 30.

Block 31. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.