

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT 100 W. OGLETHORPE AVENUE SAVANNAH, GEORGIA 31401-3604

December 19, 2019

Regulatory Division SAS-2011-00953

JOINT PUBLIC NOTICE Savannah District/State of Georgia

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: SAS-2011-00953

Applicant: Mr. Eric Duff

State Environmental Administrator Georgia Department of Transportation 600 West Peachtree Street, NW 16th Floor

Atlanta, Georgia 30308

Location of Proposed Work: The project would be located between State Route (SR) 30 and Blue Jay Road, near the City of Rincon, in Chatham and Effingham Counties, Georgia. The southern project terminus would be located at the intersection of SR 30 and Chatham County's proposed Benton Boulevard Extension project, approximately 1.5 miles west of SR 21 (Latitude 32.1927, Longitude -81.2235). The northern project terminus would be located at Blue Jay Road, approximately 3.2 miles west of SR 21 (Latitude 32.2691, Longitude -81.2809). The approximate project mid-point would be located at Latitude 32.2315, Longitude -81.2512.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers: The project would consist of constructing a two-lane, new location roadway from SR 30 to Blue Jay Road. The southern project terminus would tie into a roundabout to be constructed at the intersection of SR 30 and the Benton Boulevard Extension project. At the northern project terminus, Blue Jay Road would be realigned to have Effingham Parkway tie in from the east and Blue Jay Road would form a T-intersection with Effingham Parkway to the south. The typical section would have 12-foot lanes with 10-foot outside shoulders (including 6.5-foot paved) on an 80-foot right-of-way. Right-turn and left-turn lanes would be provided at the intersections of SR 30, Goshen Road and Blue Jay Road. The project would require impacts to 451 feet of intermittent stream and 26.21 acres of wetland (9.38 acres of permanent fill, 3.29 acres of temporary access roads, and 13.54 acres of clearing conversion). Mitigation for the proposed impacts would be provided through the purchase of 201 stream credits (2,410 grandfathered

stream credits) and 19.19 wetland credits (153.52 grandfathered wetland credits) from a Corps approved mitigation banks(s) that serve(s) the Lower Savannah Watershed (HUC 03060109). The project is hydrologically connected to the Ogeechee River.

A restrictive covenant area associated with U.S. Army Corps of Engineers project number SAS-1991-00500 is located on the proposed Effingham Parkway alignment. The covenant area was established over approximately 31 acres on November 8, 1994, for an unauthorized activity associated with the construction and maintenance of Squirrel Run Drive in Coldbrook Plantation. As proposed, construction of the Effingham Parkway would require filling and clearing of 7.2 acres of wetlands protected by the restrictive covenant. Additionally, the proposed roadway alignment would effectively bisect the covenant area. The applicant is proposing to extinguish the restrictive covenant and purchase an additional 1.12 wetland credits (8.96 grandfathered wetland credits) to compensate for the functional value provided by the restrictive covenant. The applicant has demonstrated that there are no viable alternative alignments for the Effingham Parkway that would avoid the covenant area.

BACKGROUND

An Aquatic Resources Delineation Review was complete for the project on October 22, 2018.

This Joint Public Notice announces a request for authorizations from both the U.S. Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 2 Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can be reviewed in the Savannah District, U.S. Army Corps of

Engineers, Regulatory Division, 100 West Oglethorpe Avenue Savannah, Georgia 31401-3640.

<u>State-owned Property and Resources</u>: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

Georgia Coastal Management Program: Prior to the Savannah District Corps of Engineers making a final permit decision on this application, the project must be certified by the Georgia Department of Natural Resources, Coastal Resources Division (GADNR CRD), to be consistent with applicable provisions of the State of Georgia Coastal Management Program (15 CFR 930). Correspondence was received from GADNR CRD on June 1, 2018, indicating that no portions of the project area are considered jurisdictional under the authority of the Coastal Marshlands Protection Act of 1970. Anyone wishing to comment on Coastal Management Program certification of this project should submit comments in writing within 30 days of the date of this notice to the Federal Consistency Coordinator, Ecological Services Section, Coastal Resources Division, Georgia Department of Natural Resources, One Conservation Way, Brunswick, Georgia 31523-8600 (Telephone 912-264-7218).

U.S. ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

<u>Cultural Resources Assessment</u>: Project Implementation would result in adverse effect to the W.H. Oliver Sr. Farmstead and Otis Seckinger Farmstead, two historic Salzburger resources eligible for listing on the National Register of Historic Places. Additionally, proposed project would have an adverse effect on archaeological Site 9EF307, known as the Coldbrook Plantation Archeological Site. To resolve these adverse effects the Corps and GDOT has consulted with the Georgia State Historic Preservation Office (GASHPO), Federally Recognized Tribes, and Gullah Geechee Heritage Commission to develop mitigation commensurate with the historic properties. Impacts to the W.H. Oliver, Sr. Farmstead and Otis Seckinger Farmstead would be mitigated using high resolution digital photography per the Georgia State Historical Preservation Office's guidelines for establishing a Permanent Archival Record for photography retained in the Georgia State Archives. Impacts to Archaeological Site 9EF307 would be mitigated by recovering archaeological data from rice field features and developing outreach materials highlighting the African American engineering and architectural required for rice irrigation. The Memorandum of Agreement is currently being routed for signature, to fulfill Section 106 Responsibilities.

<u>Endangered Species</u>: Project implementation may affect, but is not likely to adversely affect the federally protected wood stork (*Mycteria americana*) and eastern indigo snake (*Drymarchon couperi*) due to the presence of potential wood stork foraging habitat within the project area. Additionally, suitable habitat for the federally protected pondberry (*Lindera melissifolia*) exists within the project area.

The Corps is making a "may affect, not likely to adversely affect" effect determination under Section 7 of the Endangered Species Act for eastern indigo snake (*Drymarchon couperi*), wood stork (*Mycteria americana*), and pondberry (*Lindera melissifolia*). Concurrence with this determination was received from U.S. Fish and Wildlife Service on March 28, 2019.

<u>Public Interest Review</u>: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The U.S. Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

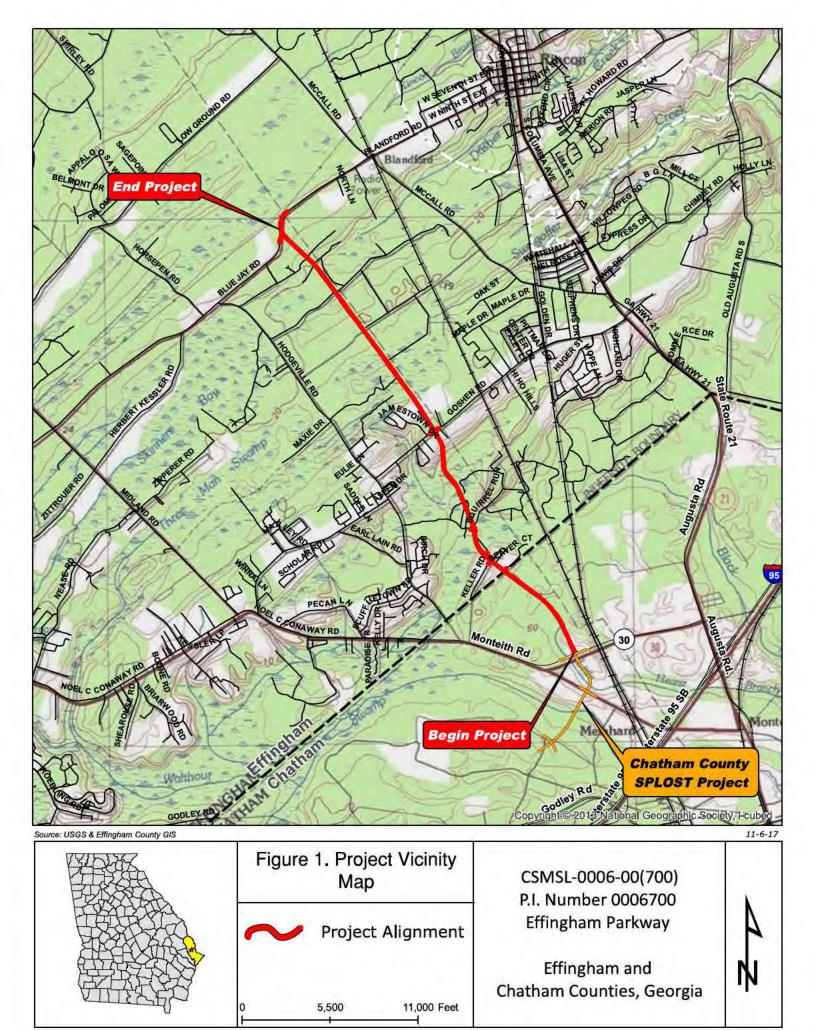
<u>Public Hearing</u>: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

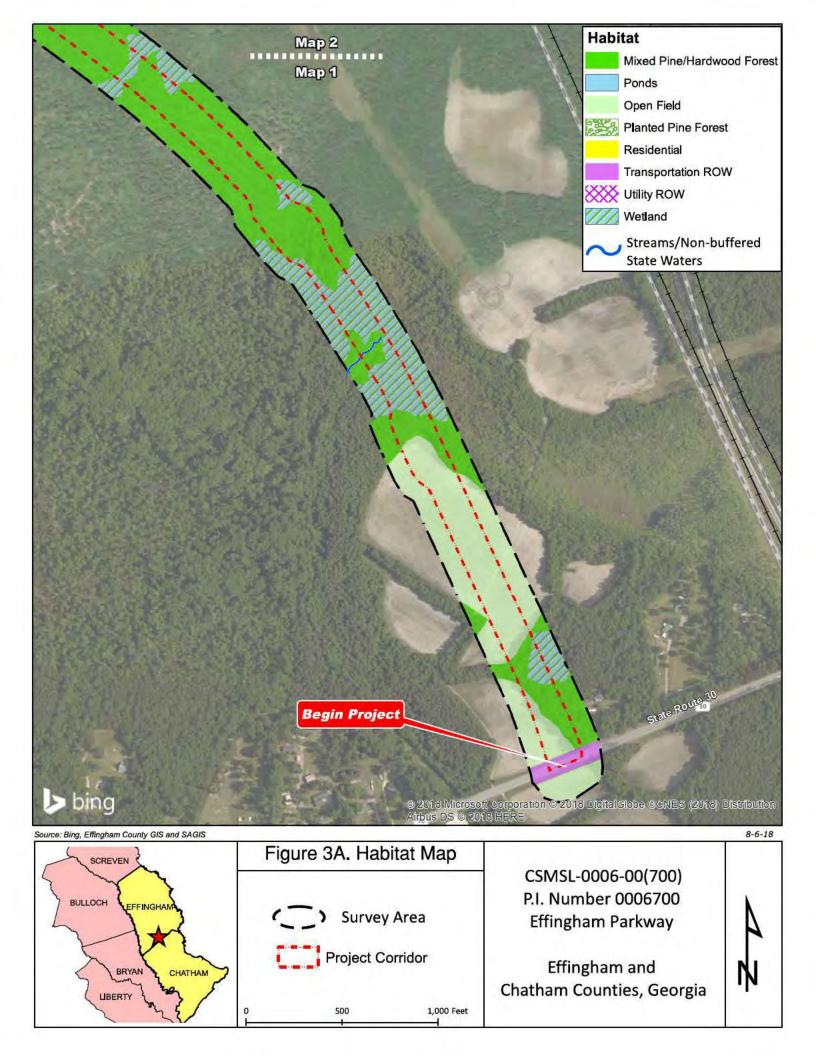
<u>Comment Period</u>: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Mr. Brian Moore, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

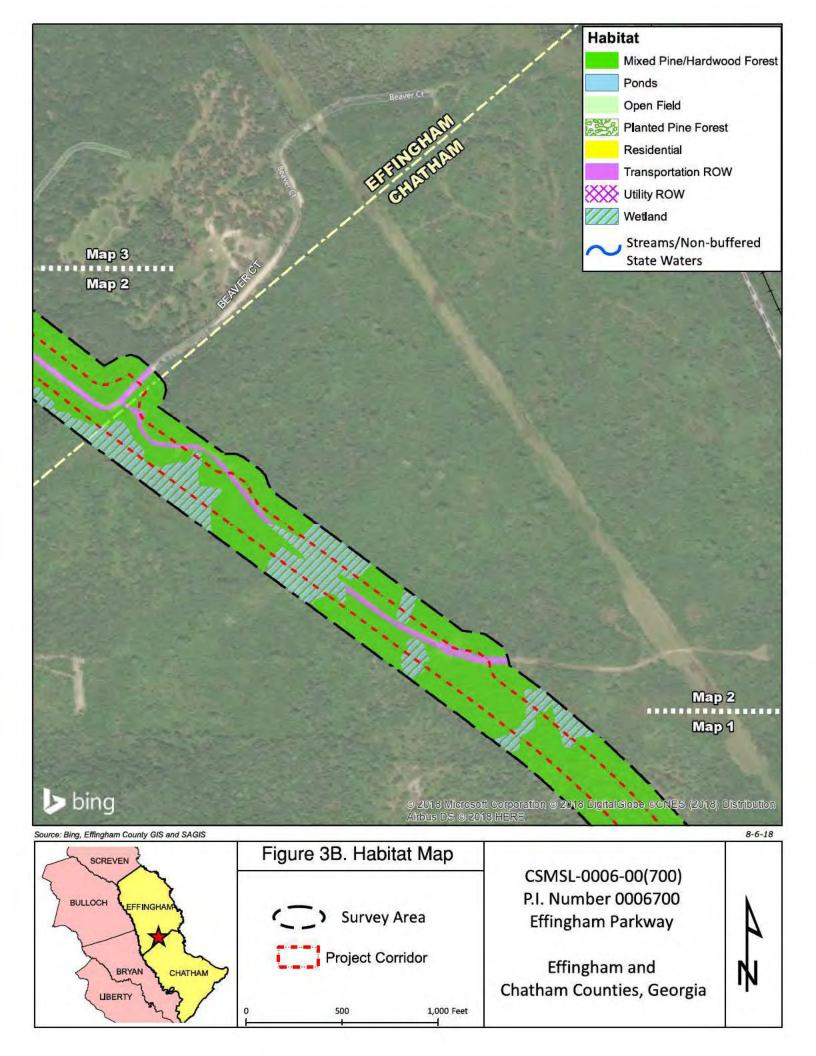
If you have any further questions concerning this matter, please contact Mr. Brian Moore, Project Manager, Management Branch at 912-652-5349.

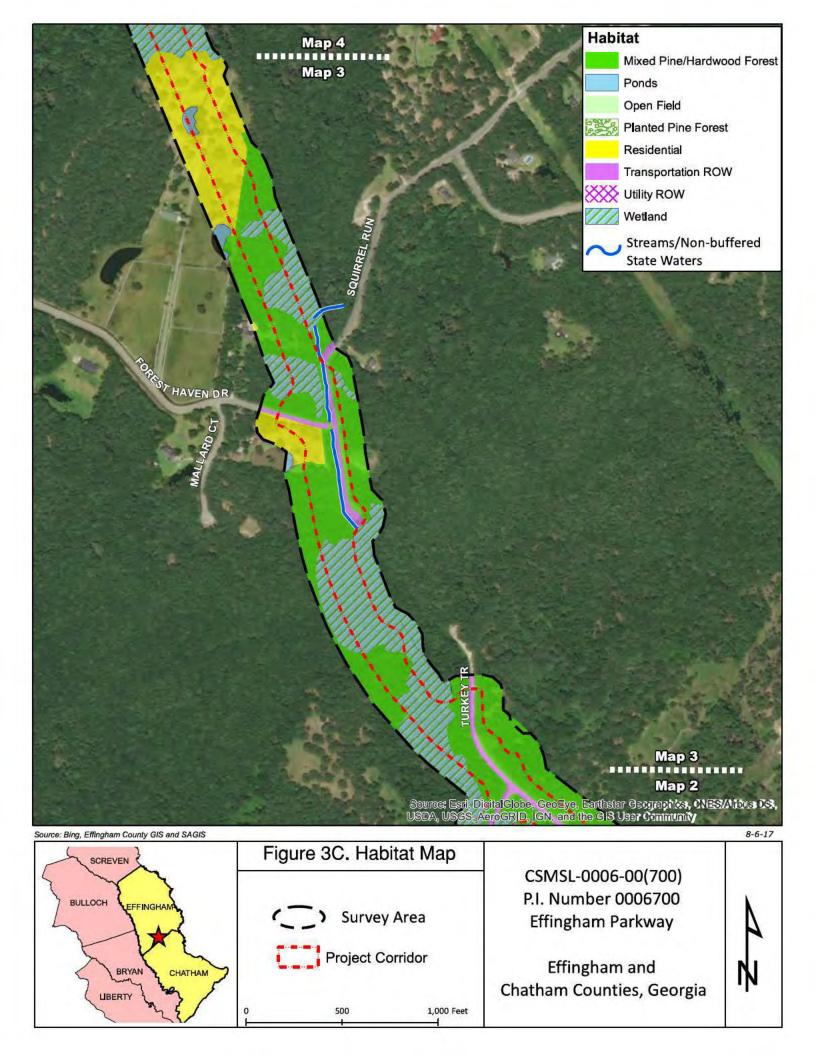
Enclosures

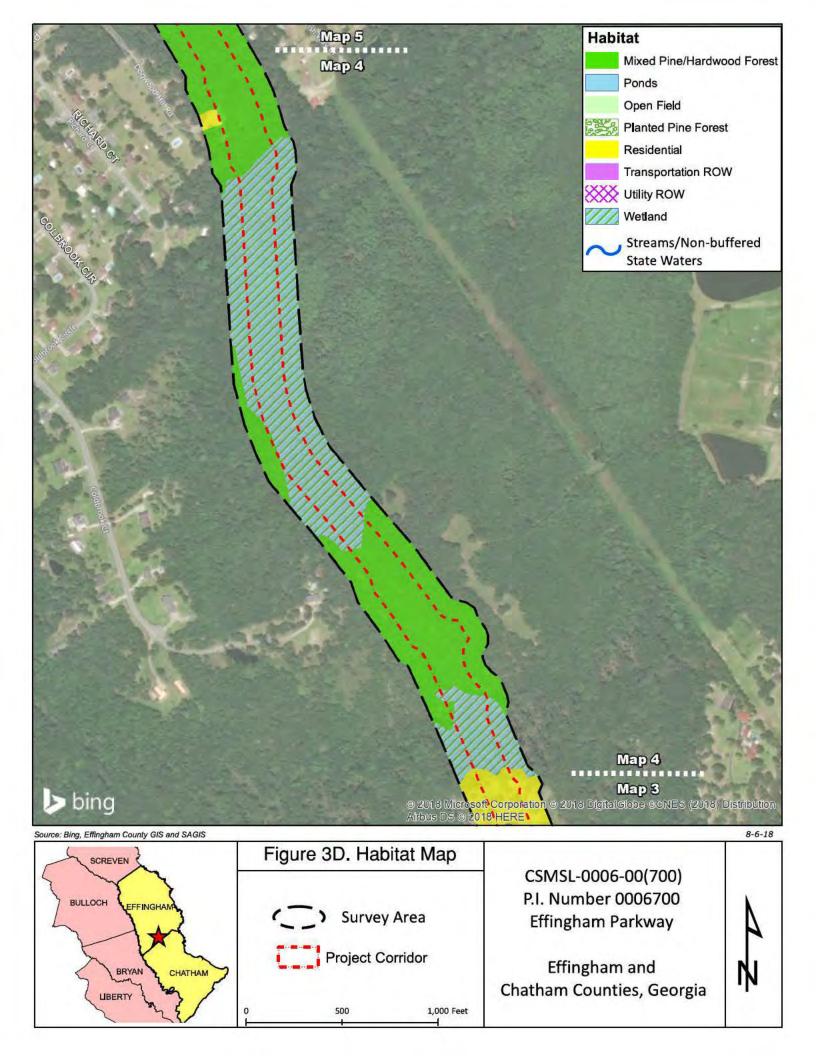
- 1. Project Vicinity Map (Figure 1)
- 2. Habitat Maps (Figure 3A-3H)
- 3. Construction Plans with Wetland Impacts (Sheets 13-0001 13-0026)
- 4. Staging Details Maps with Wetland Impacts (Sheets 20-0001 through 20-0026)
- 5. Corridor Study Areas Map (Figure 9)

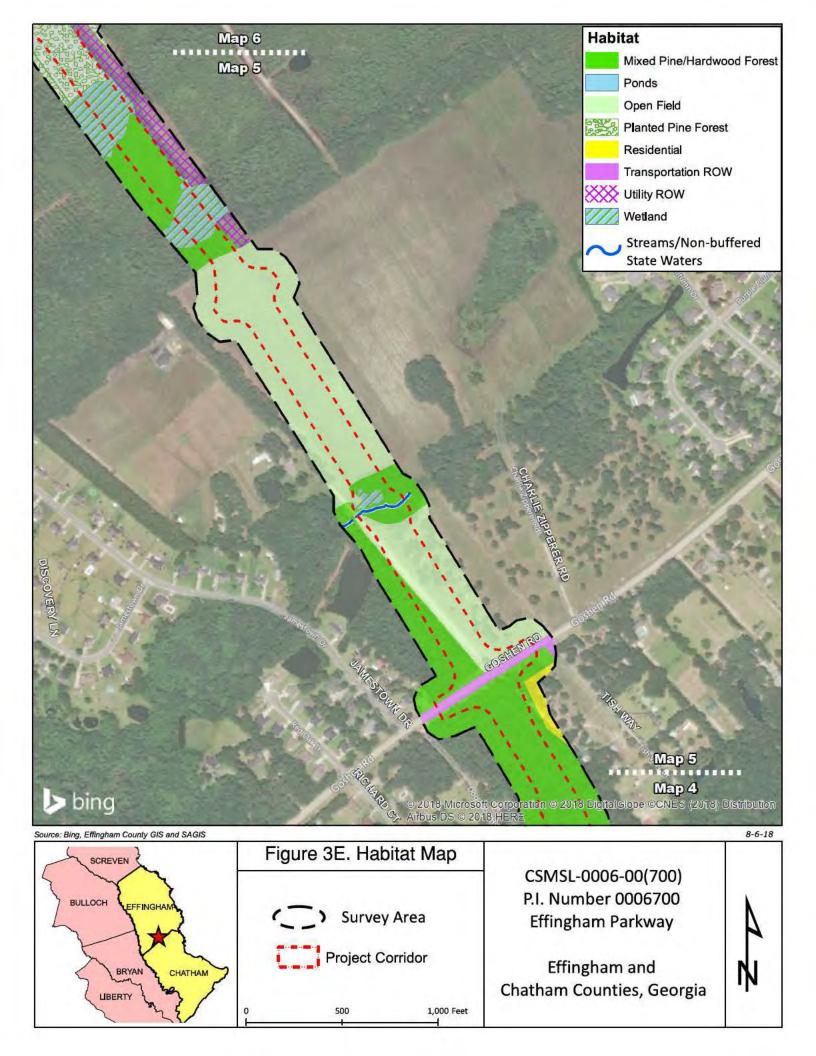


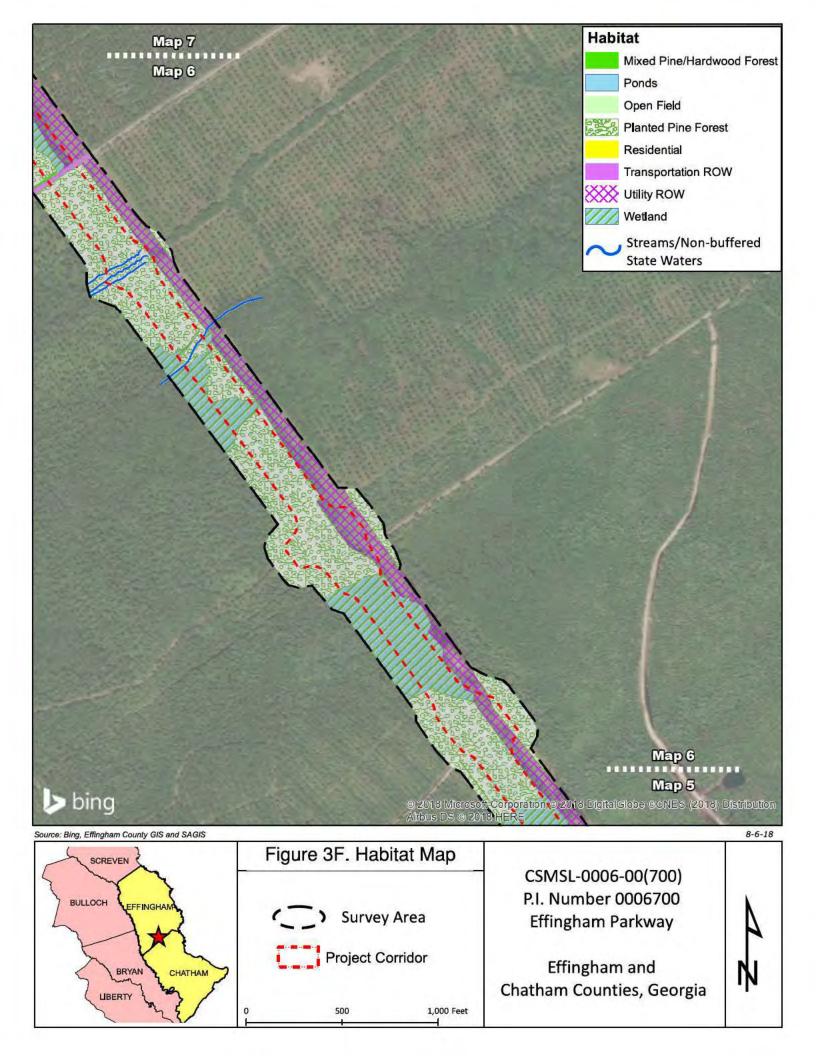


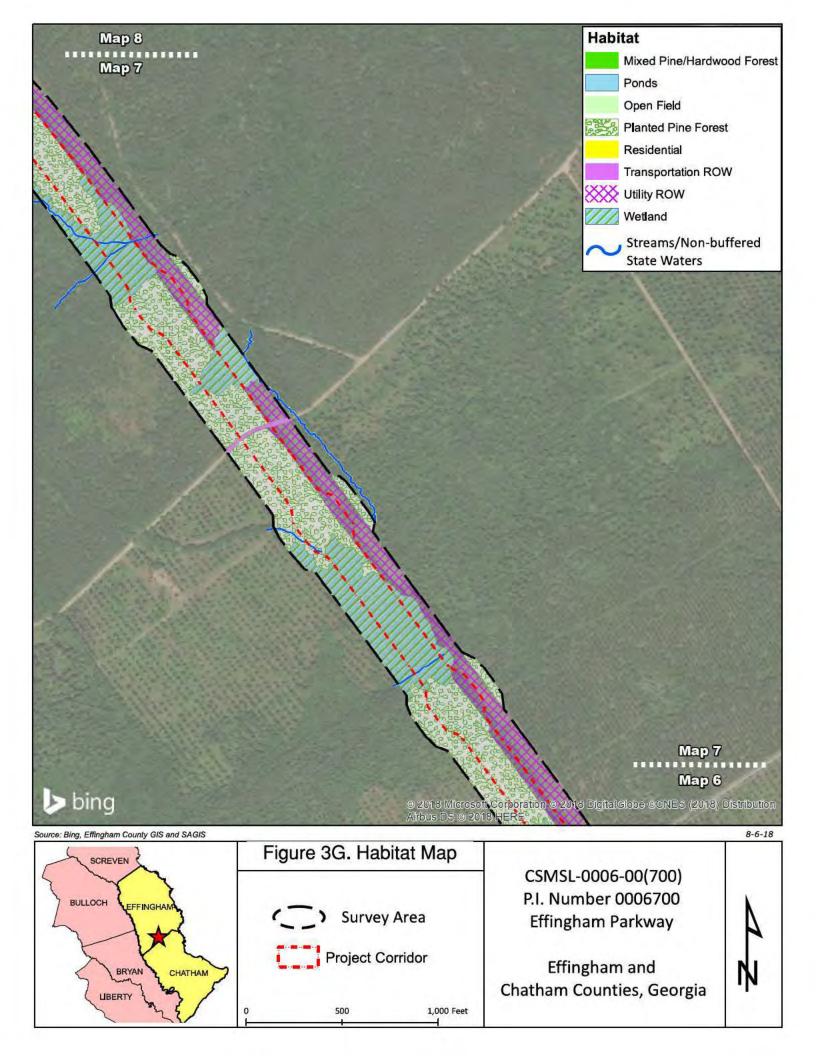


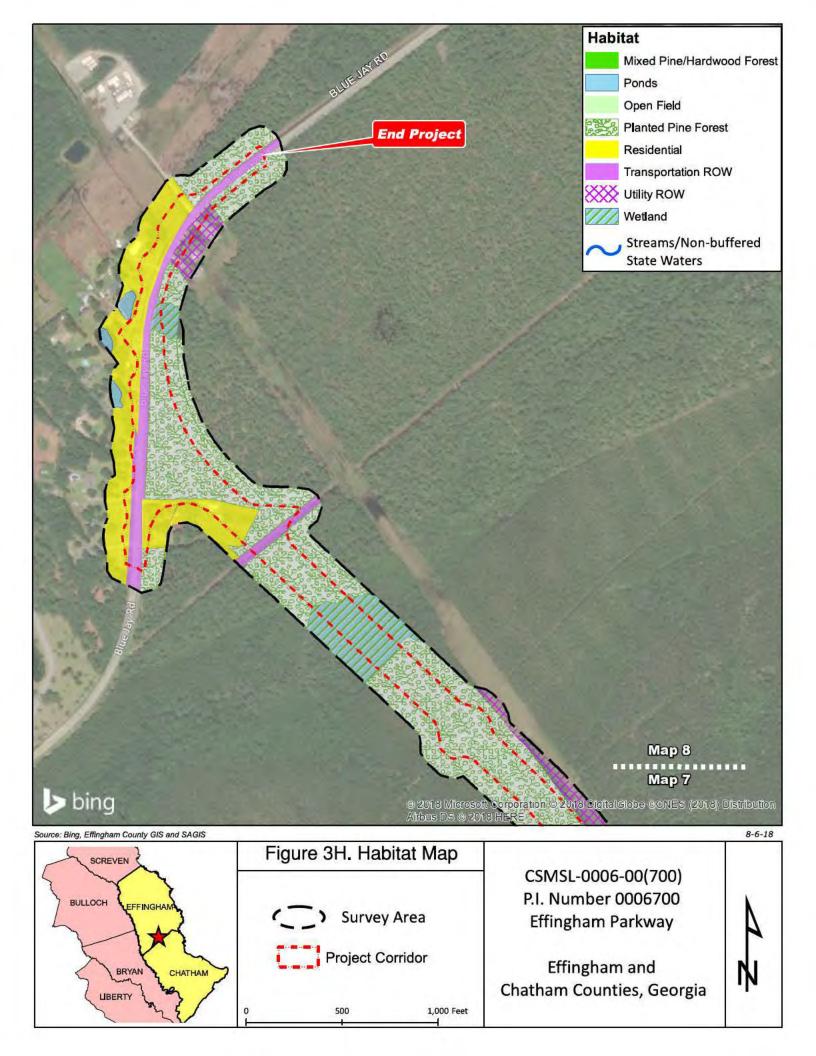


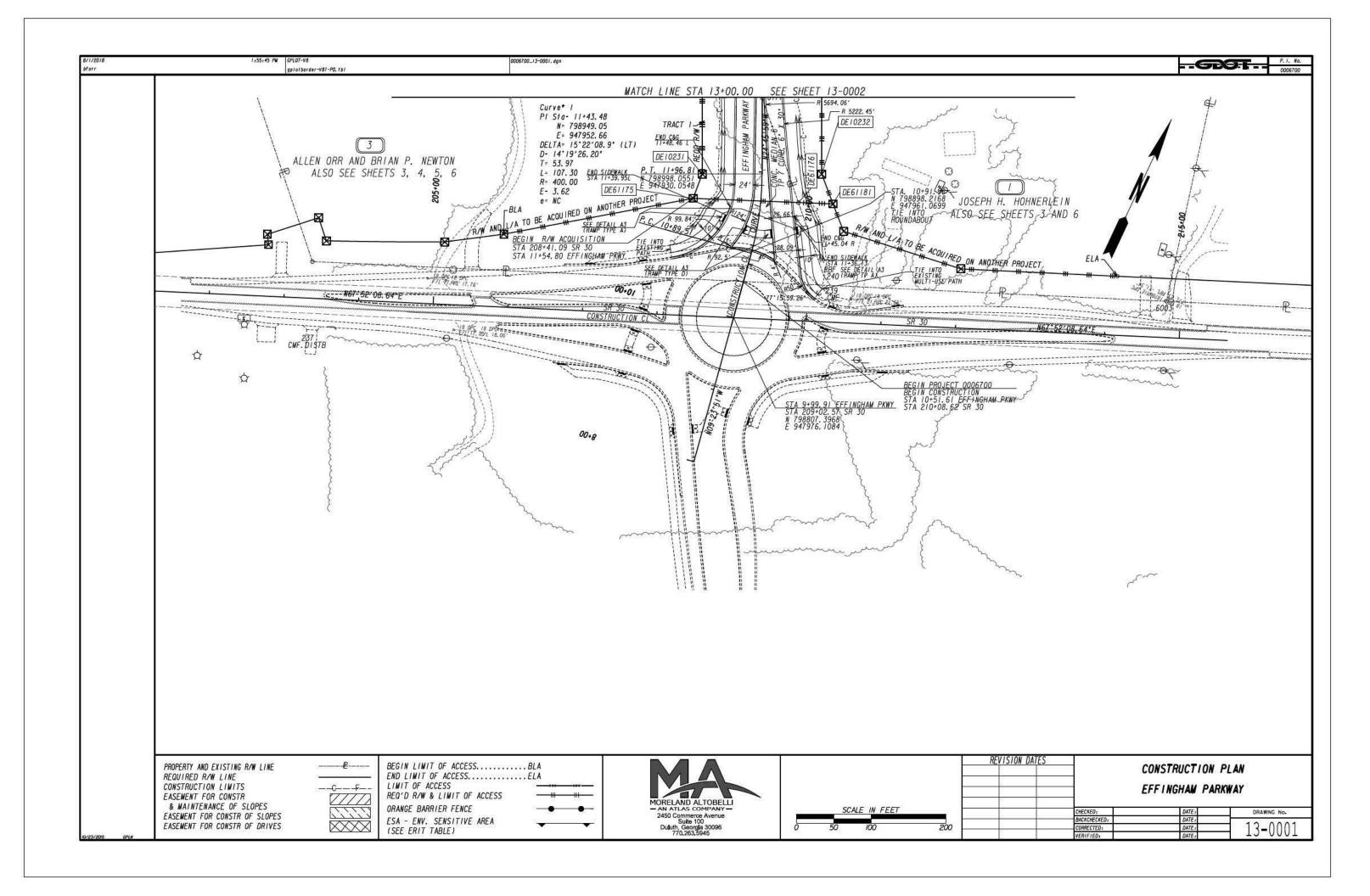


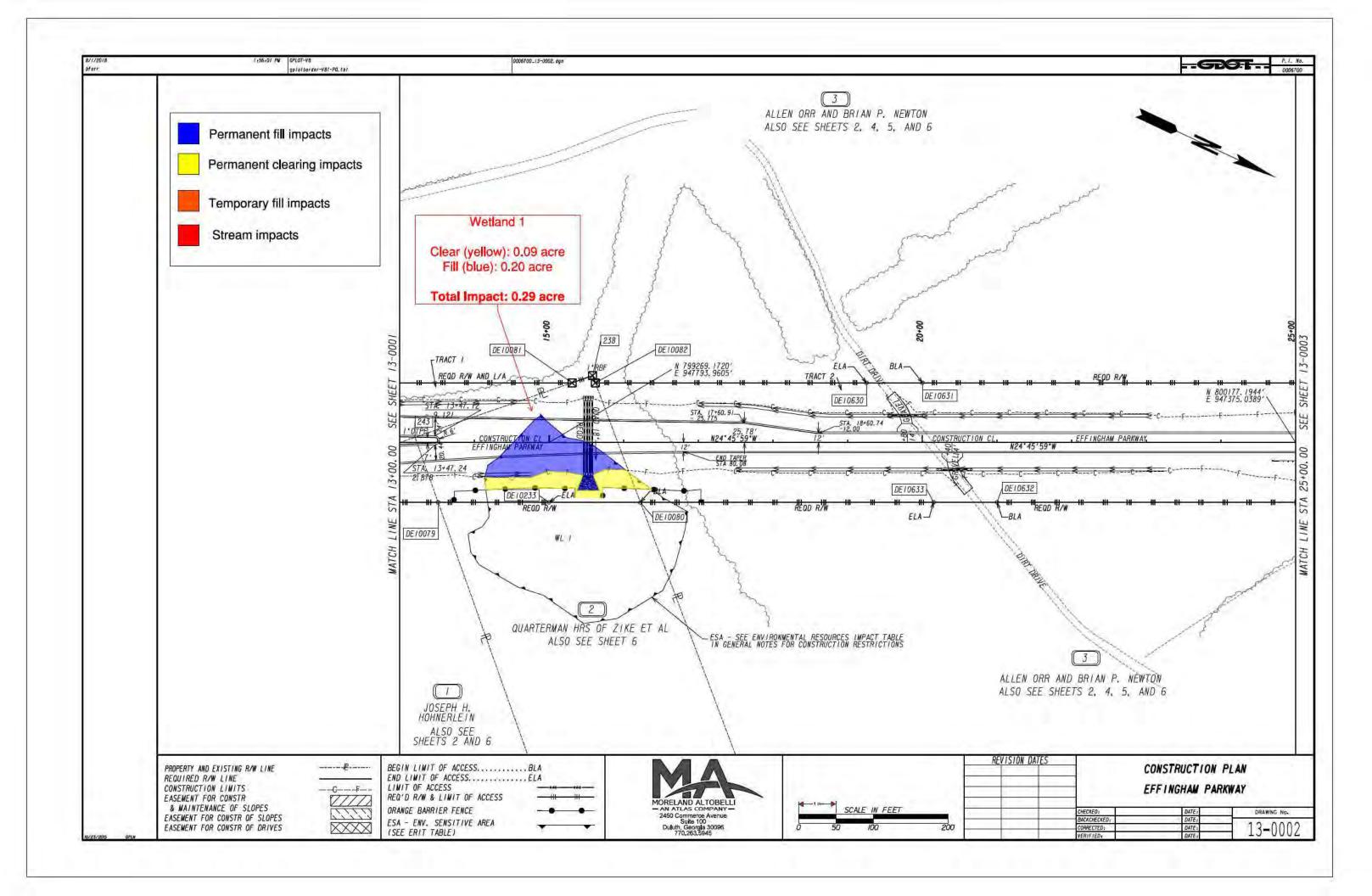


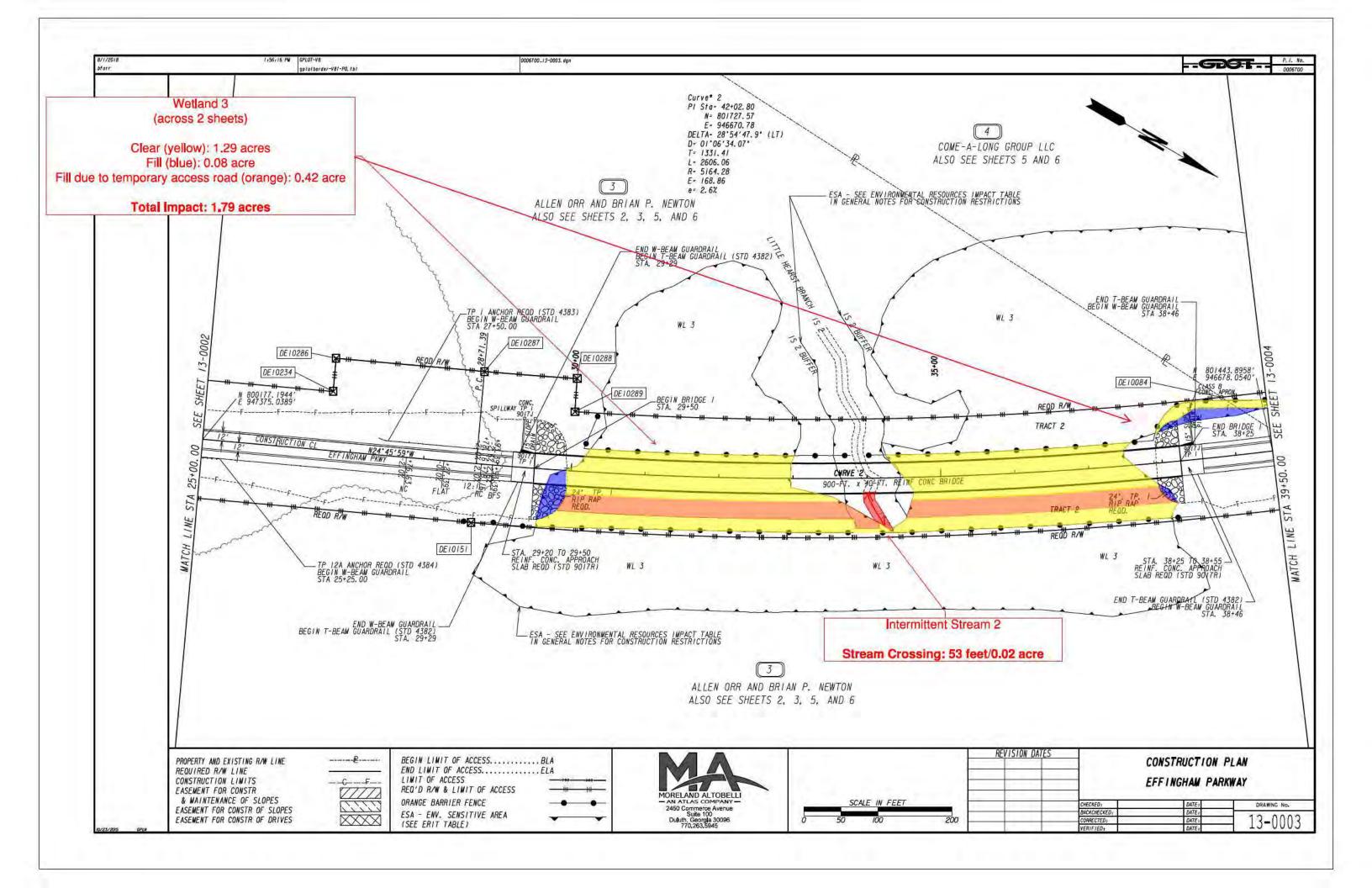


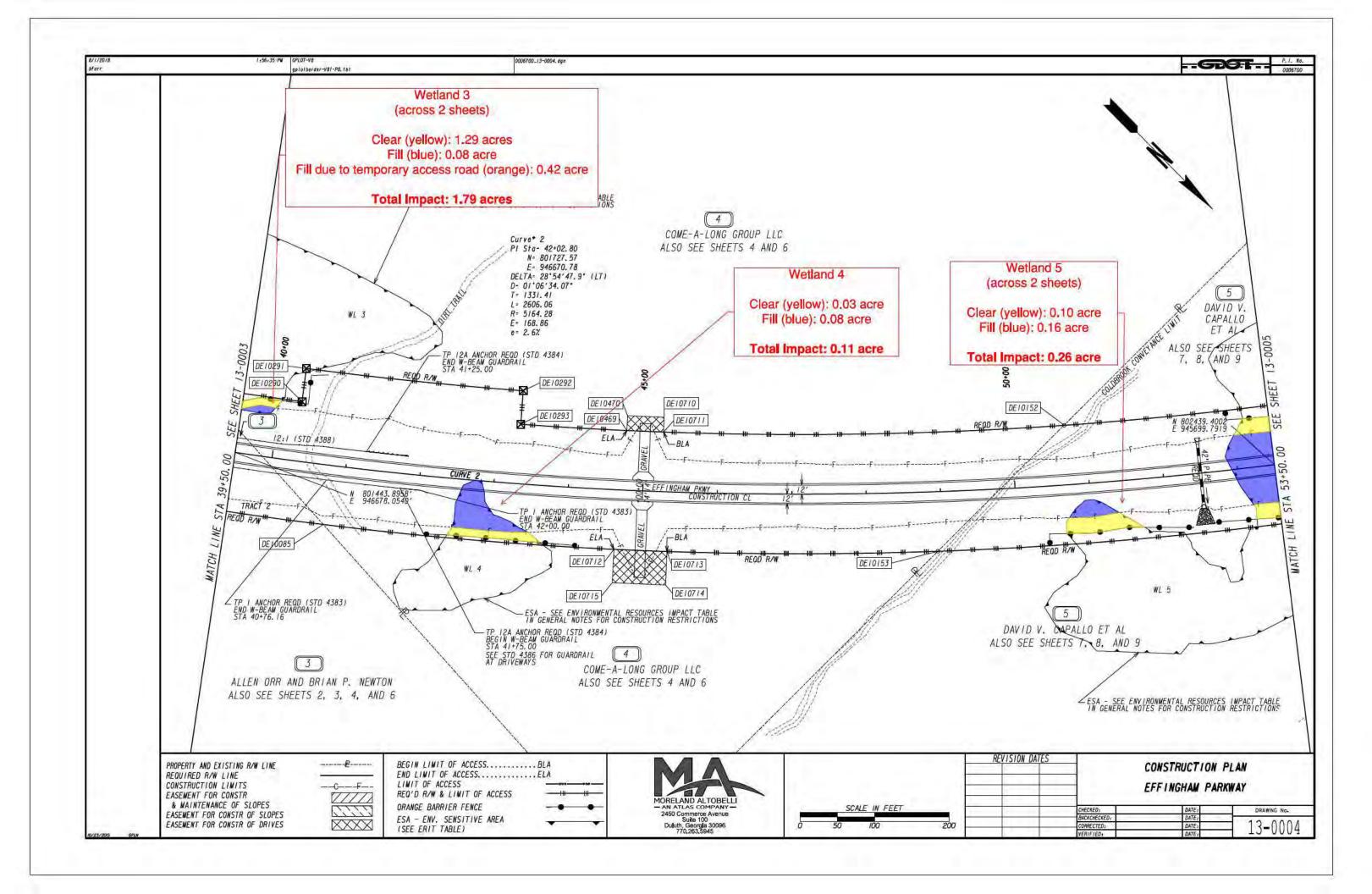


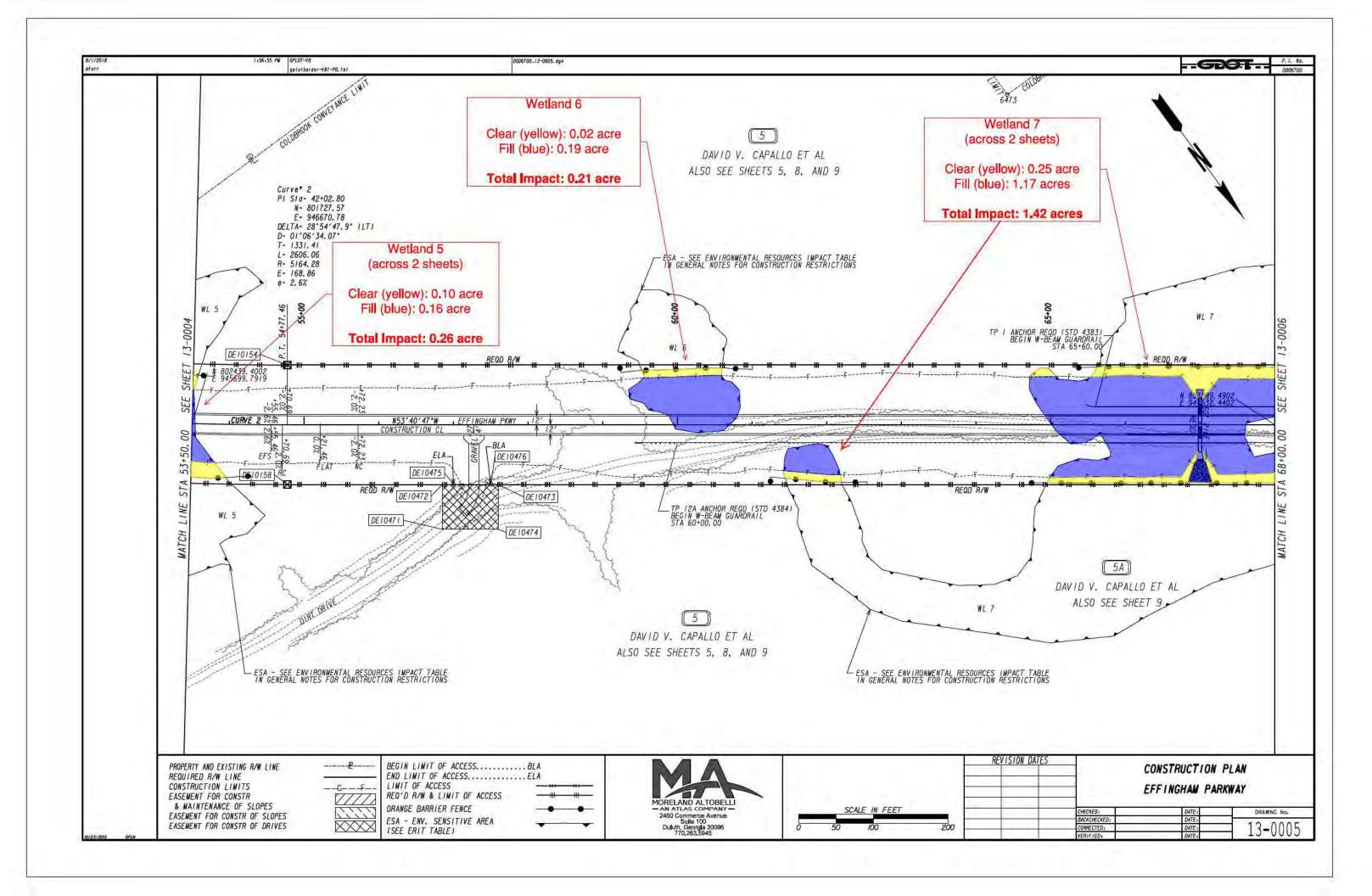


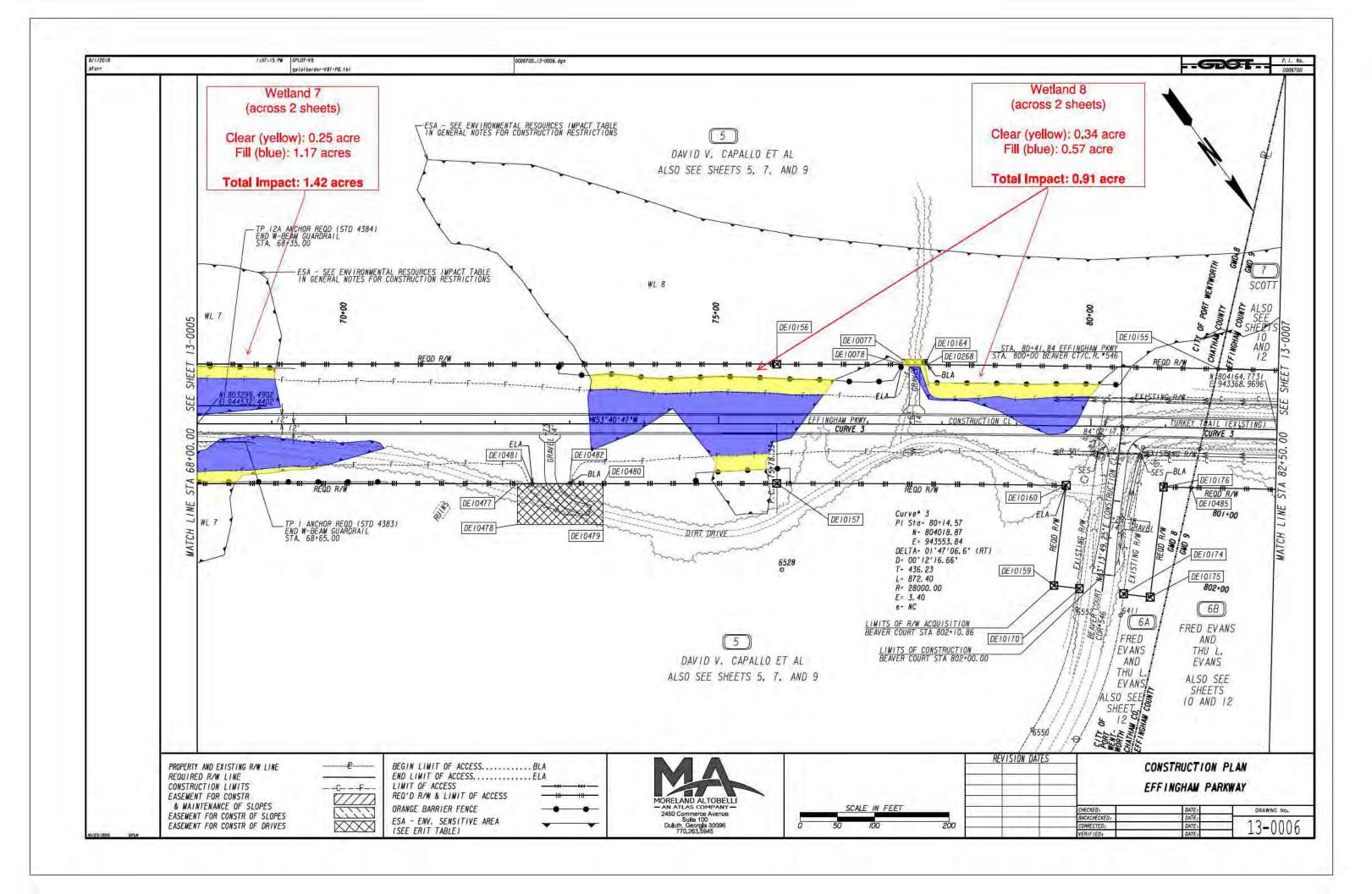


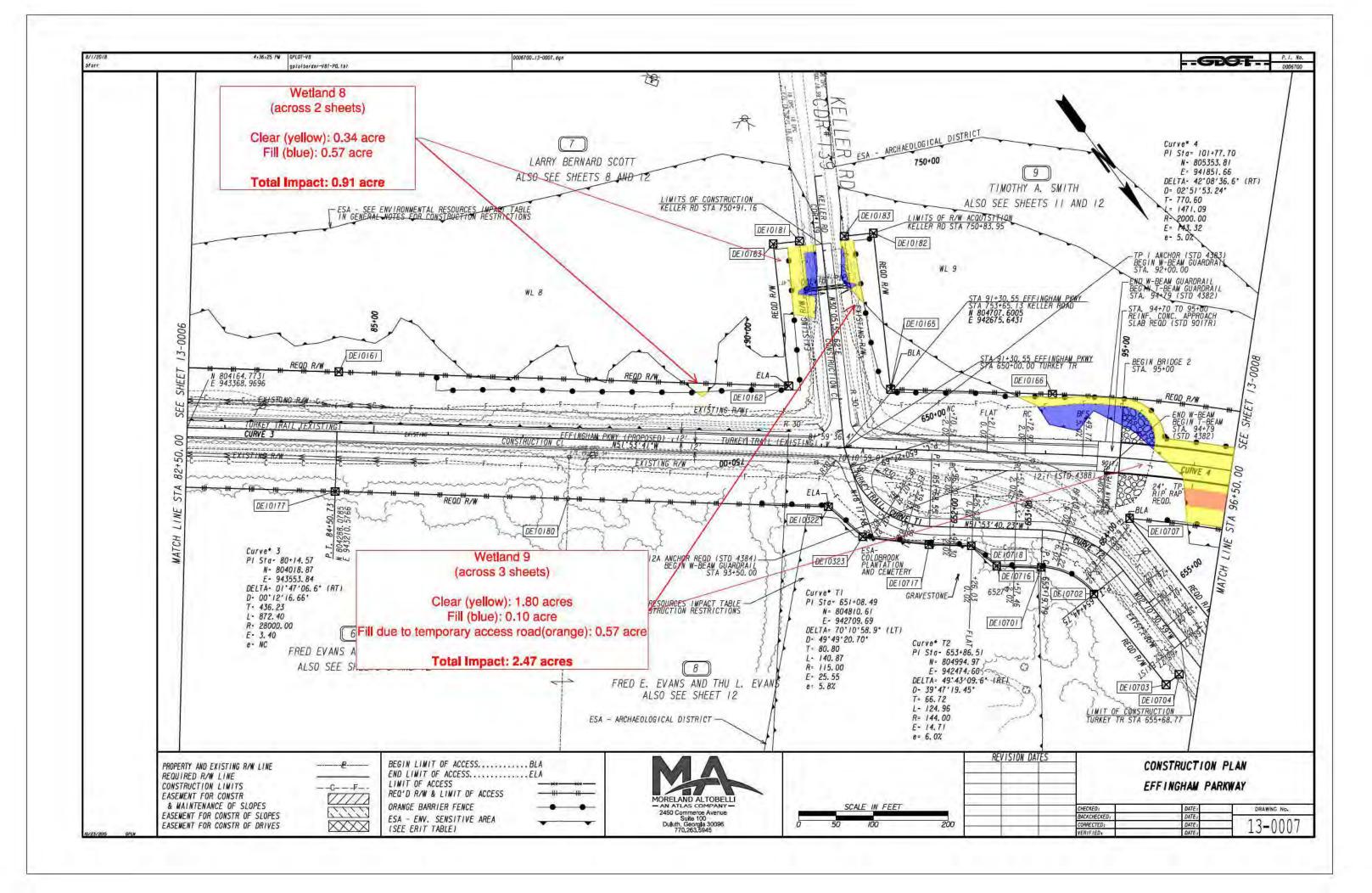


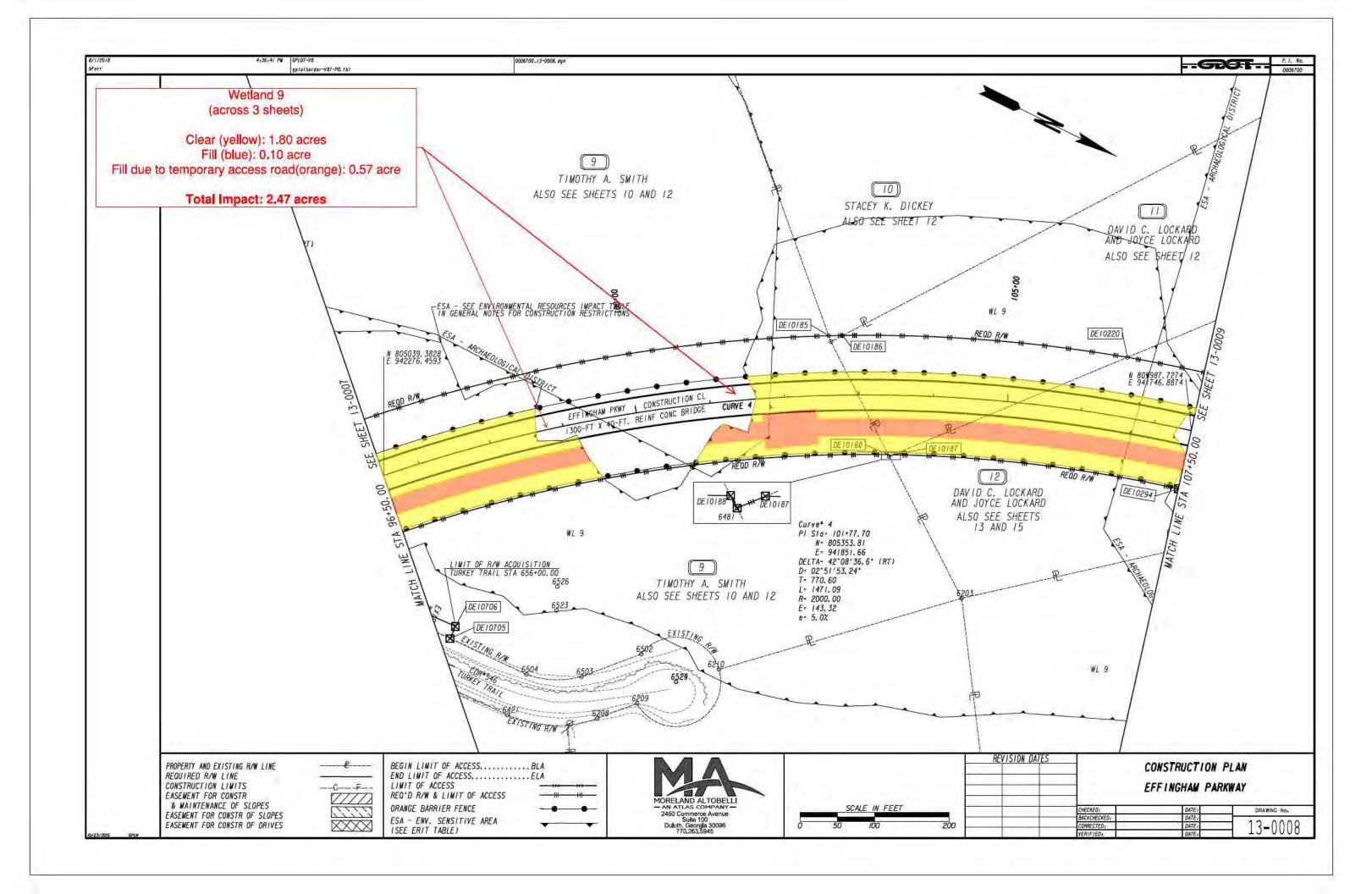


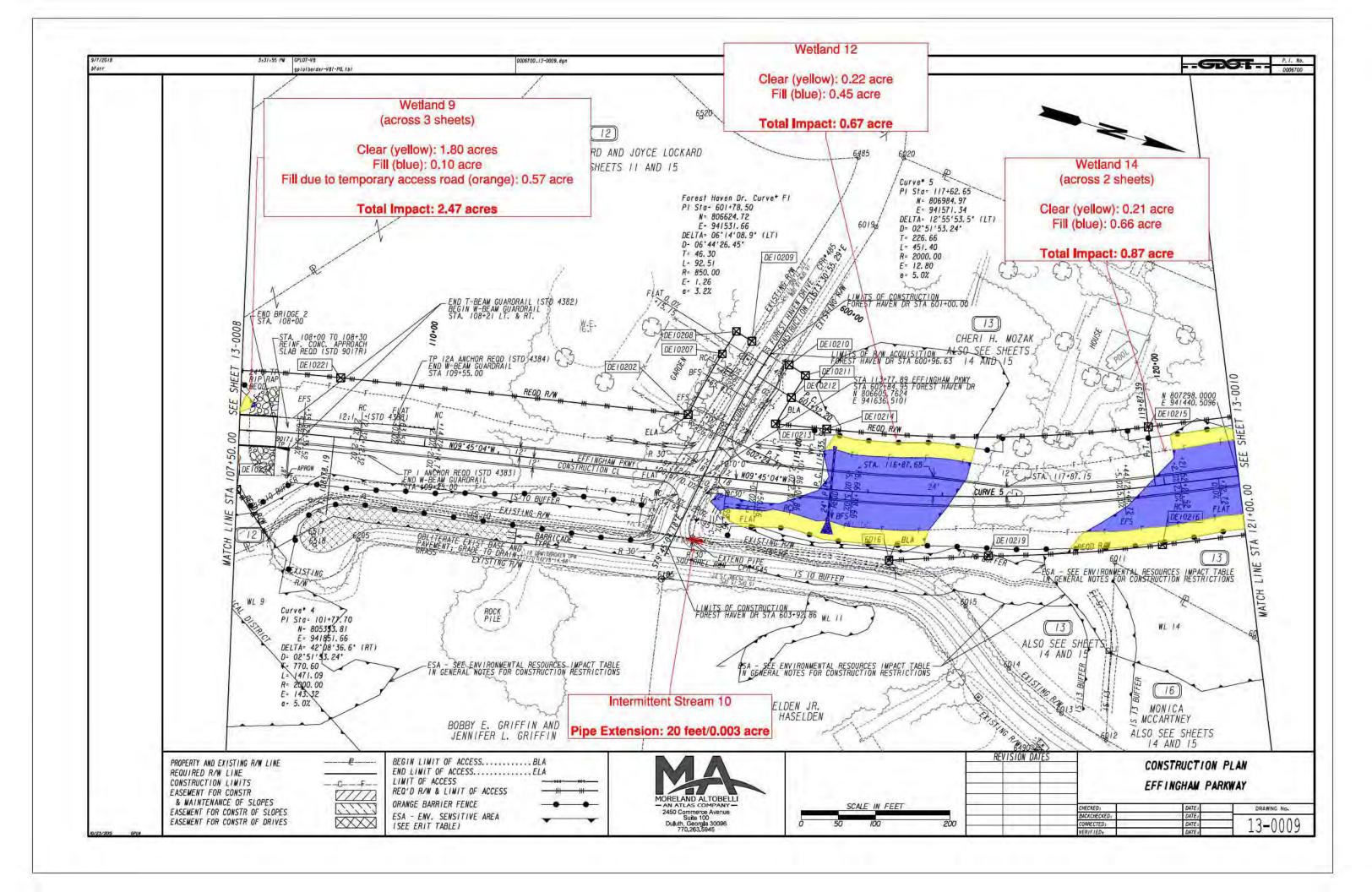


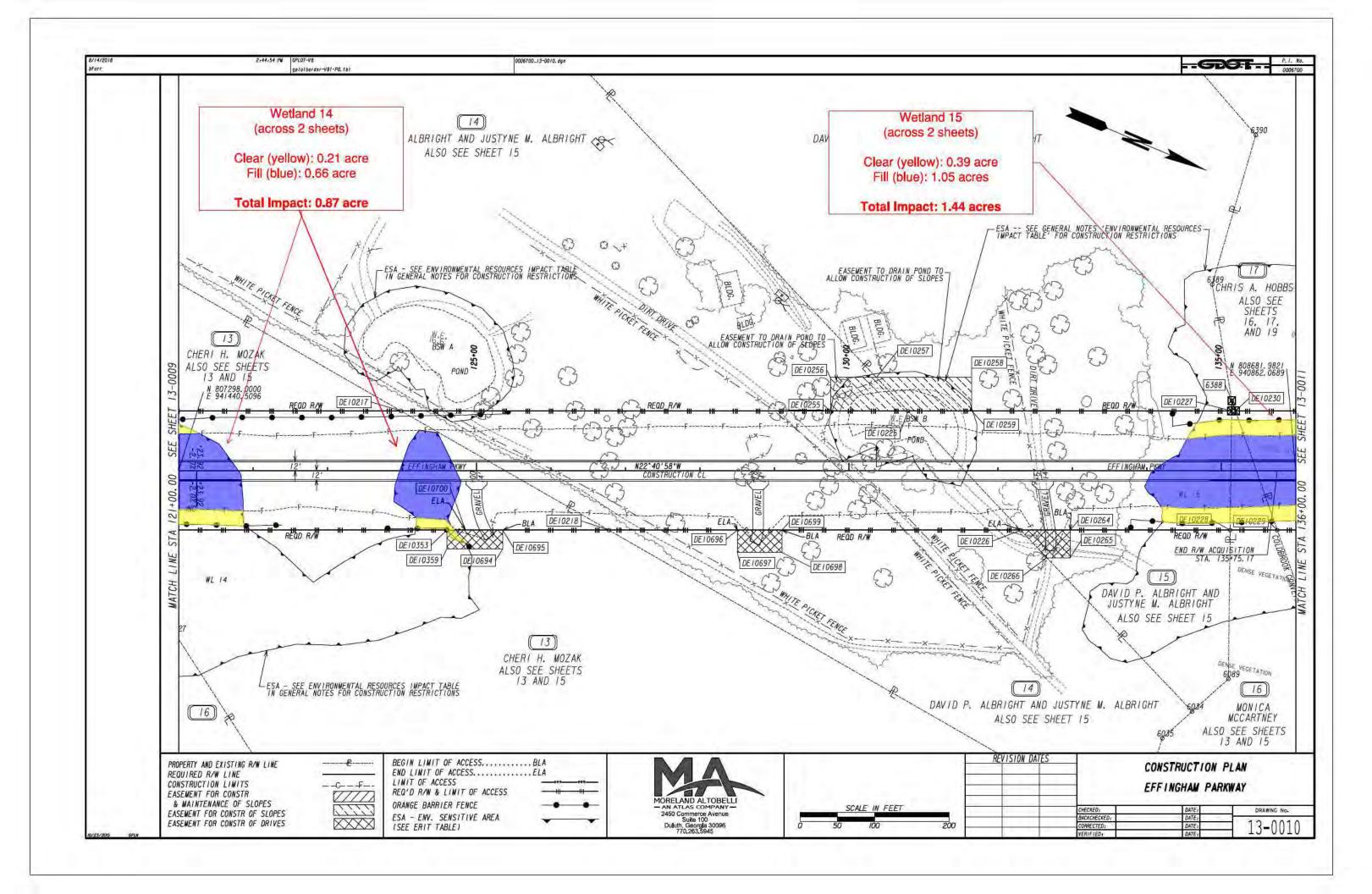


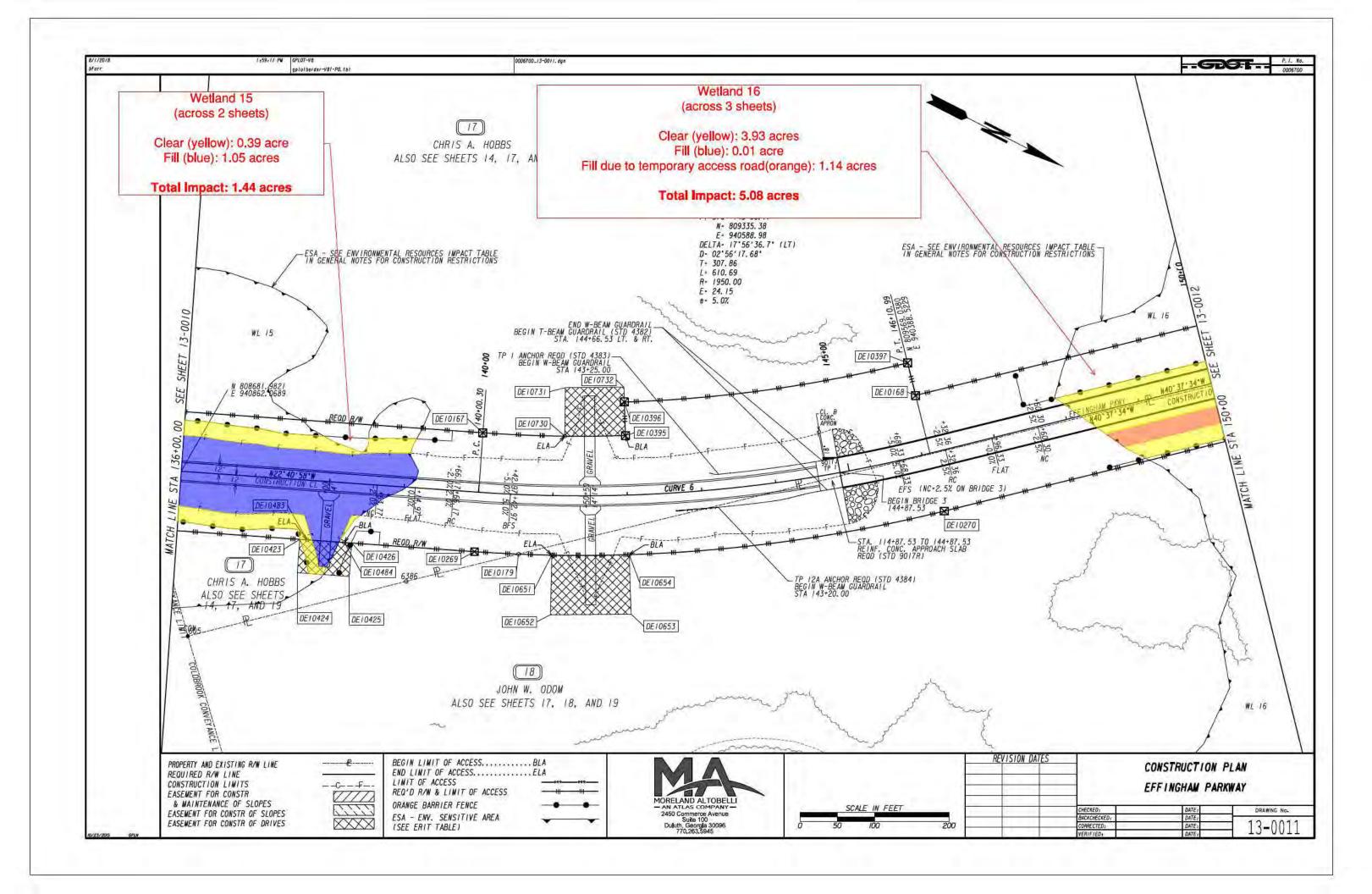


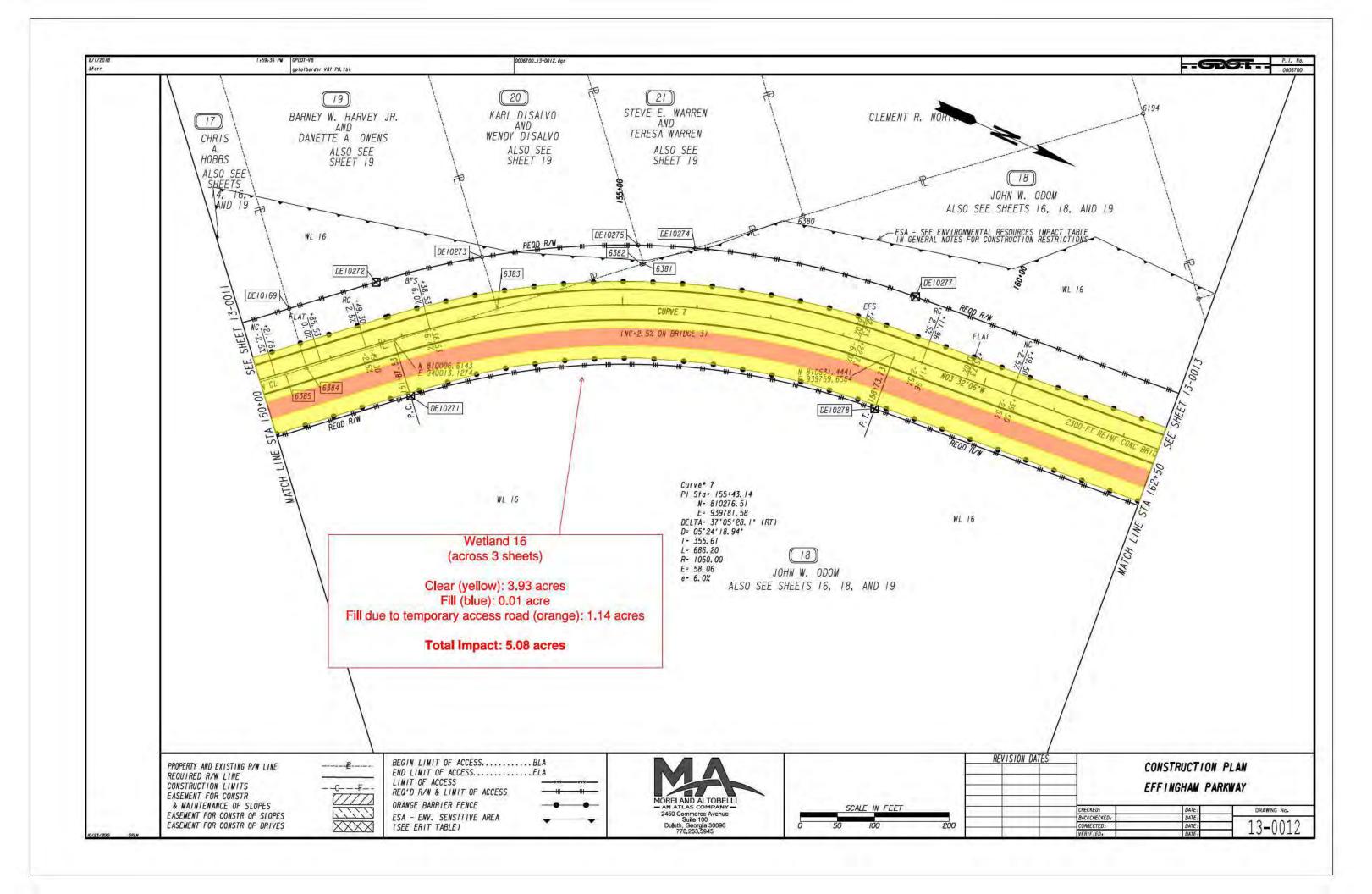


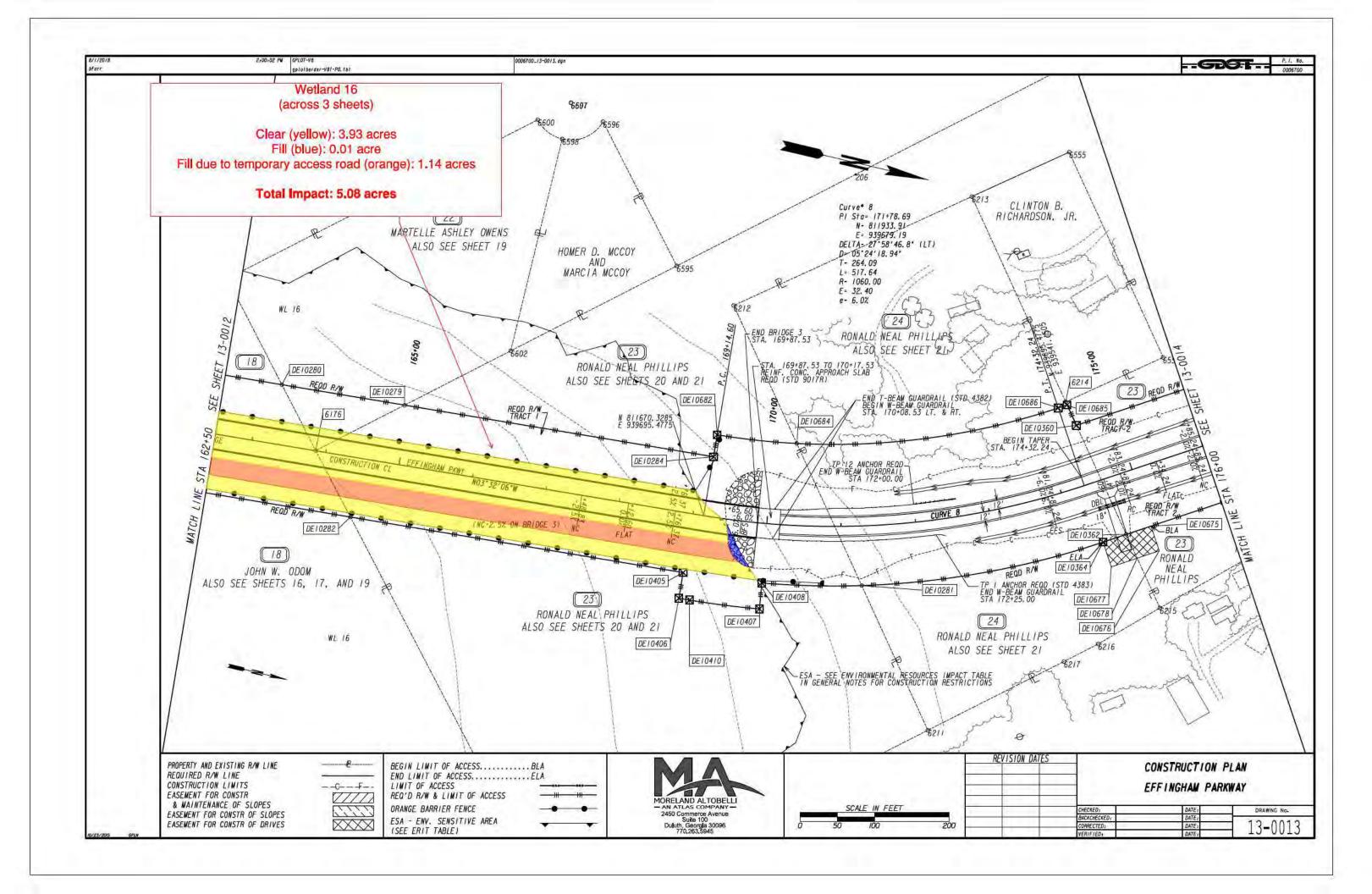


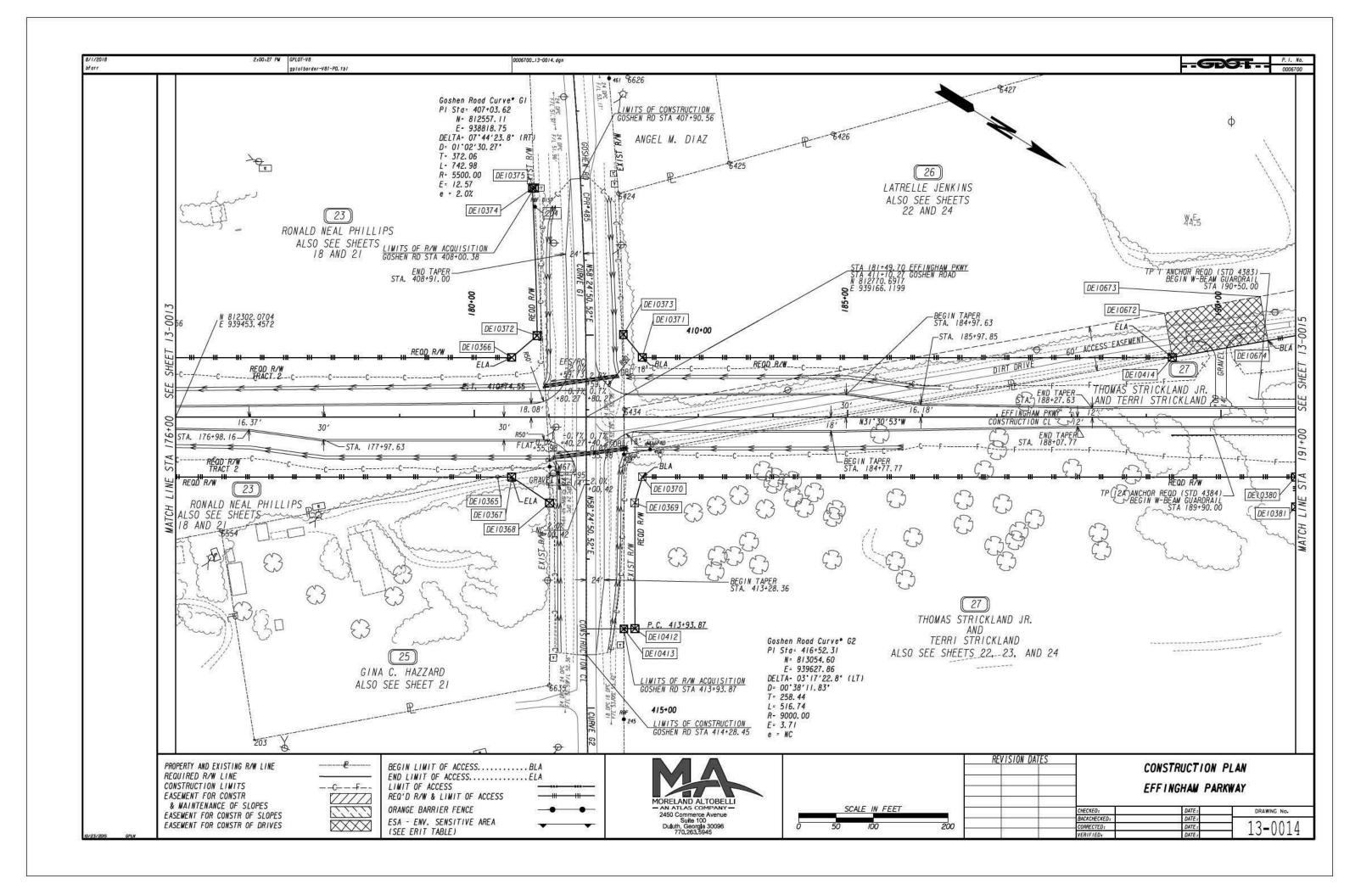


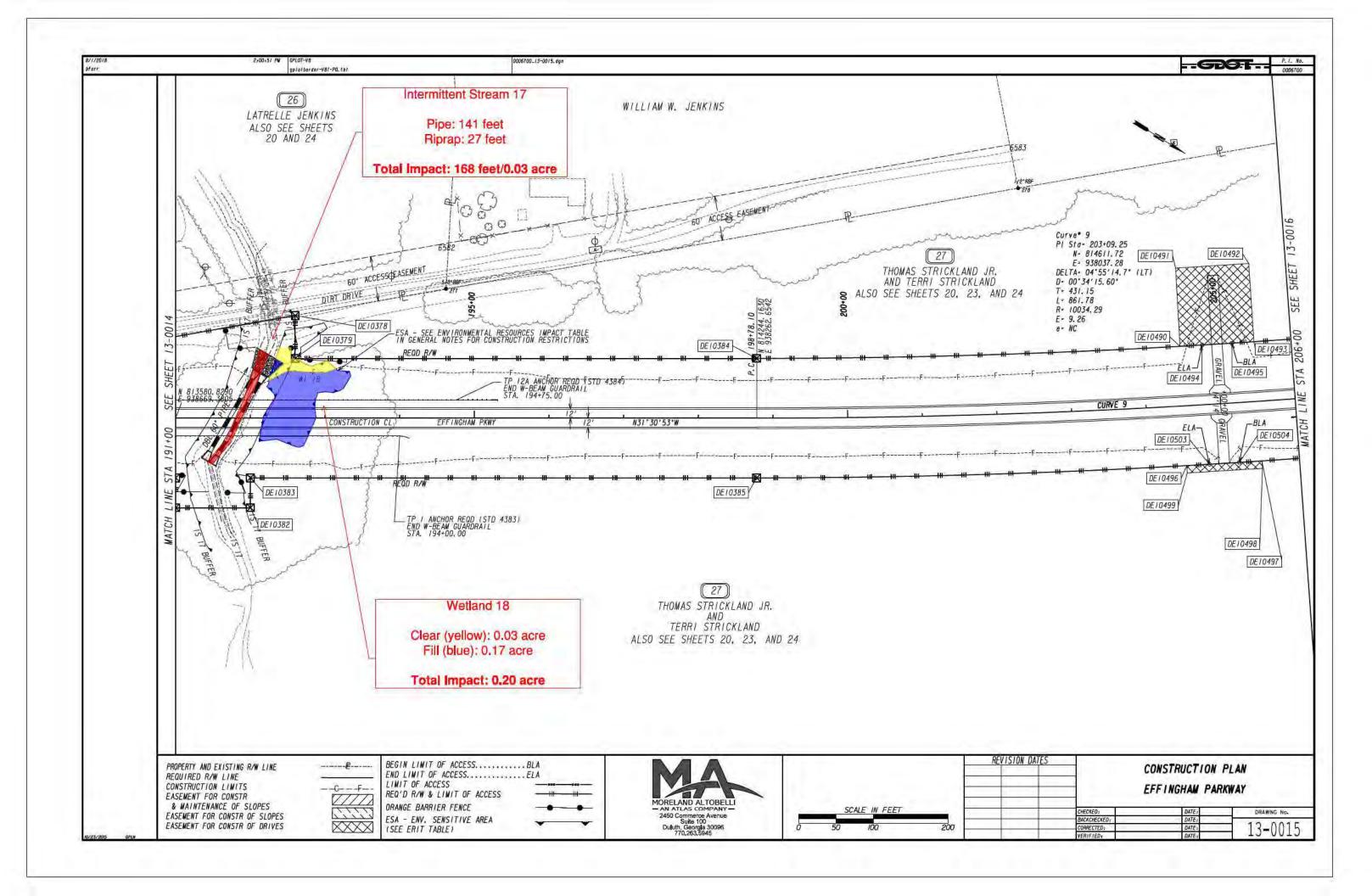


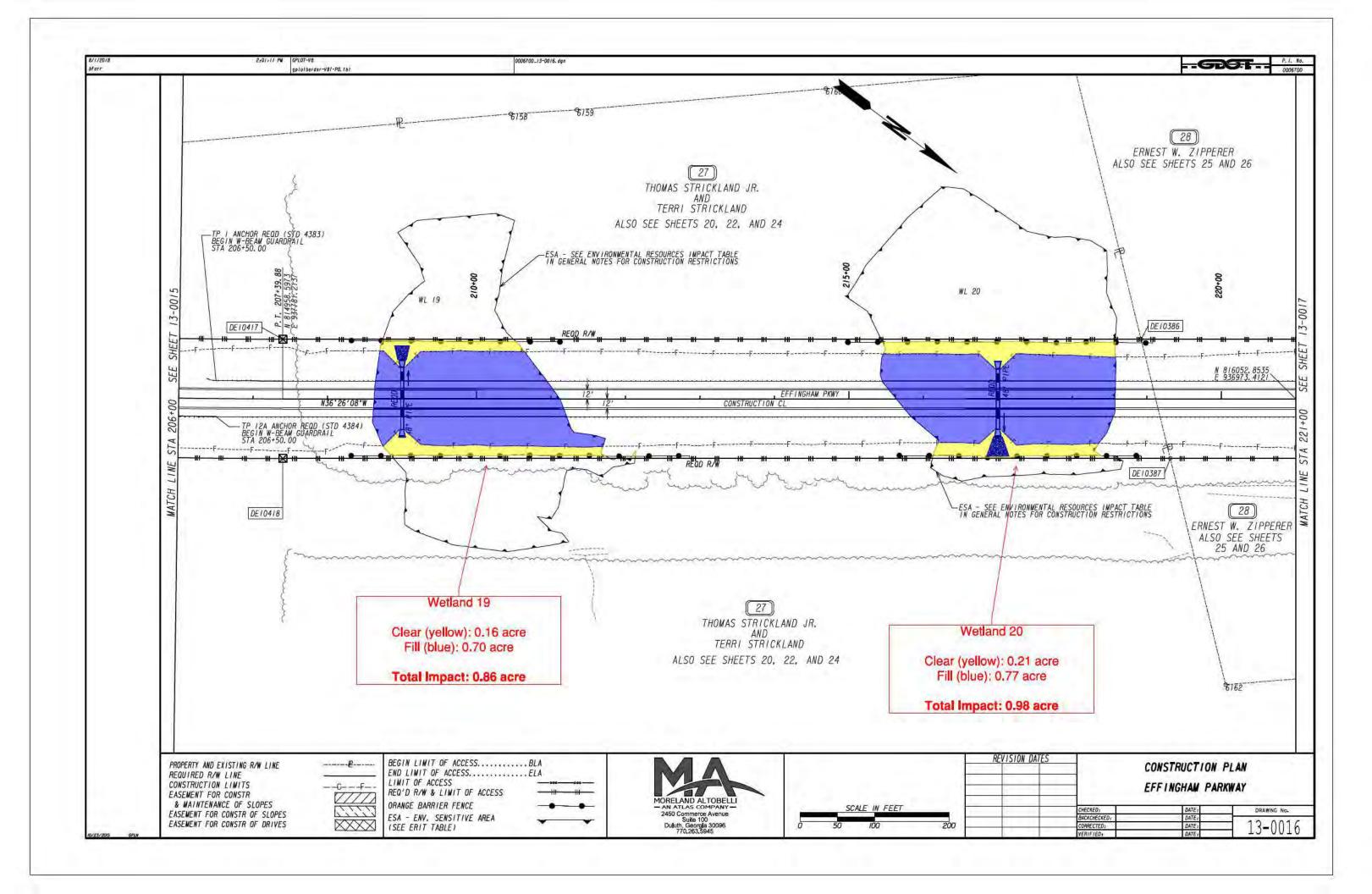


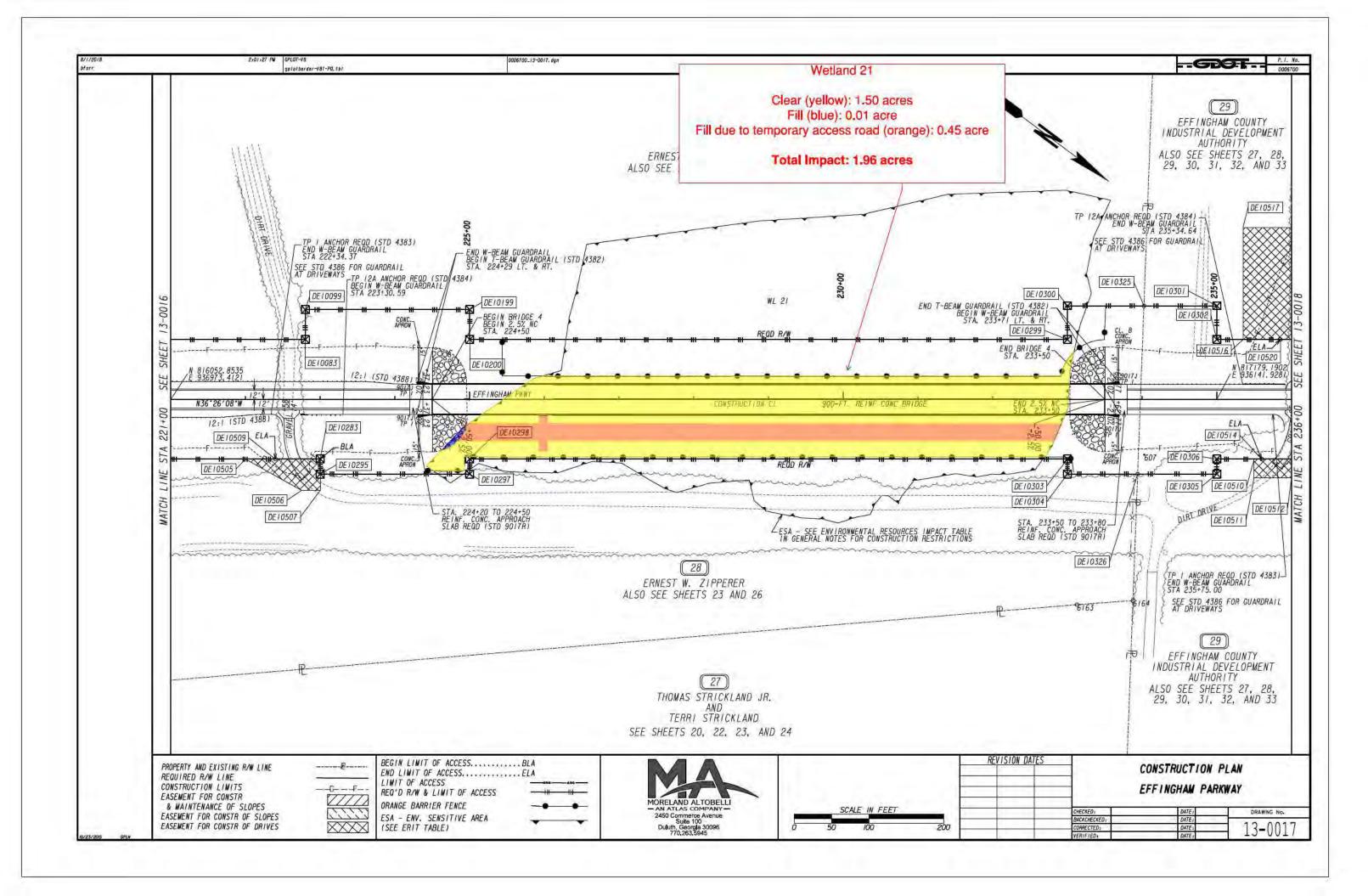


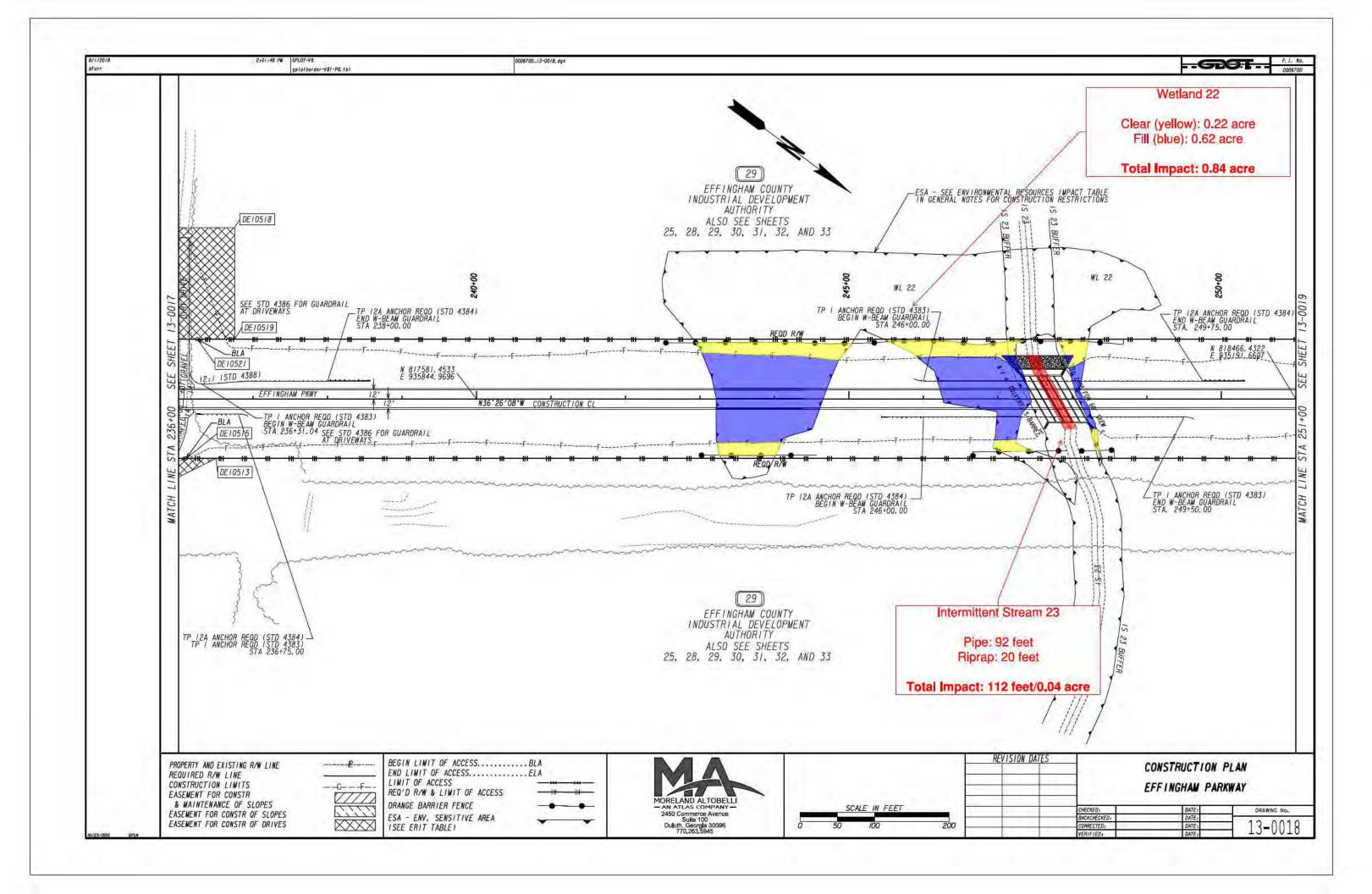


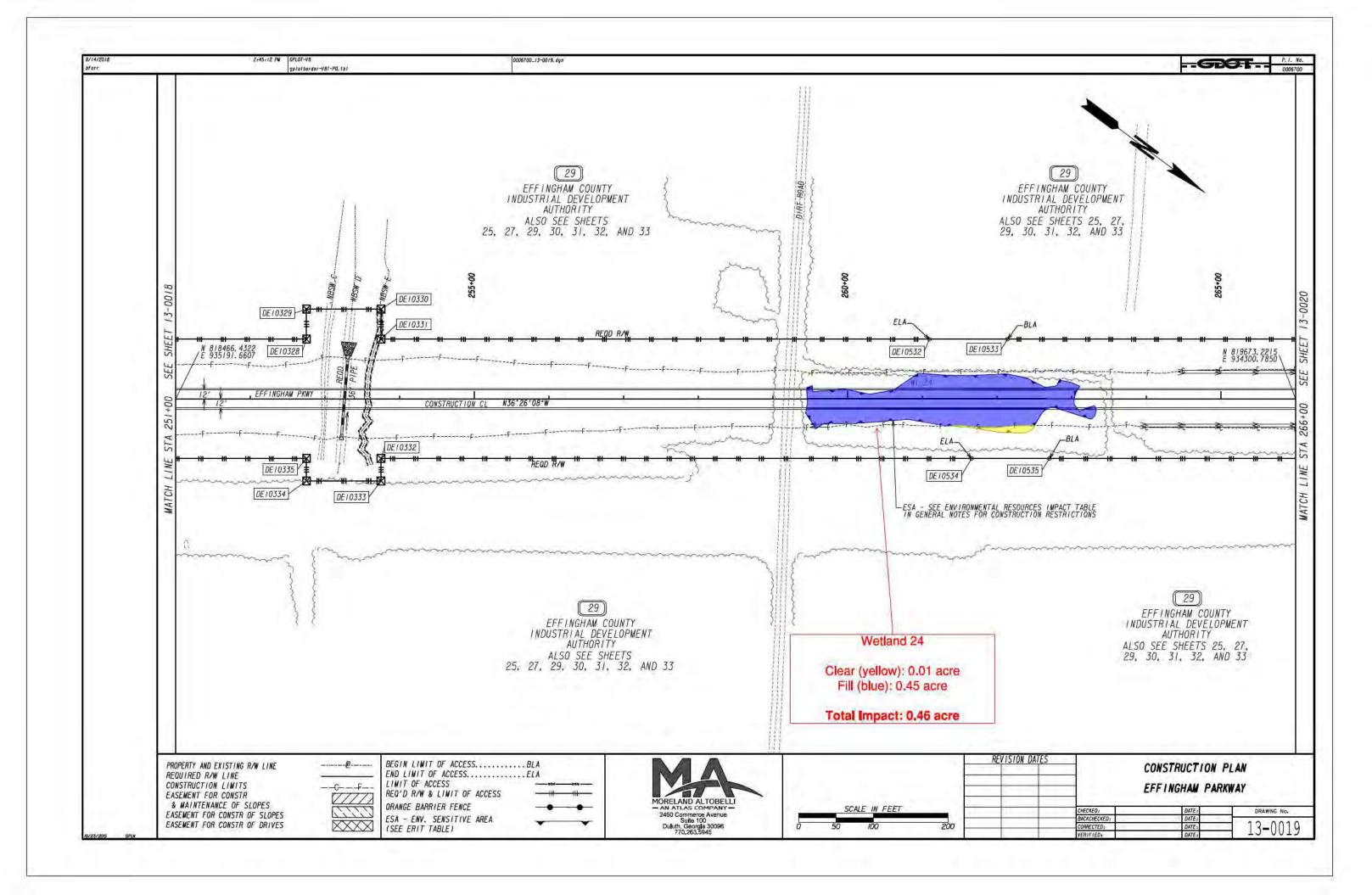


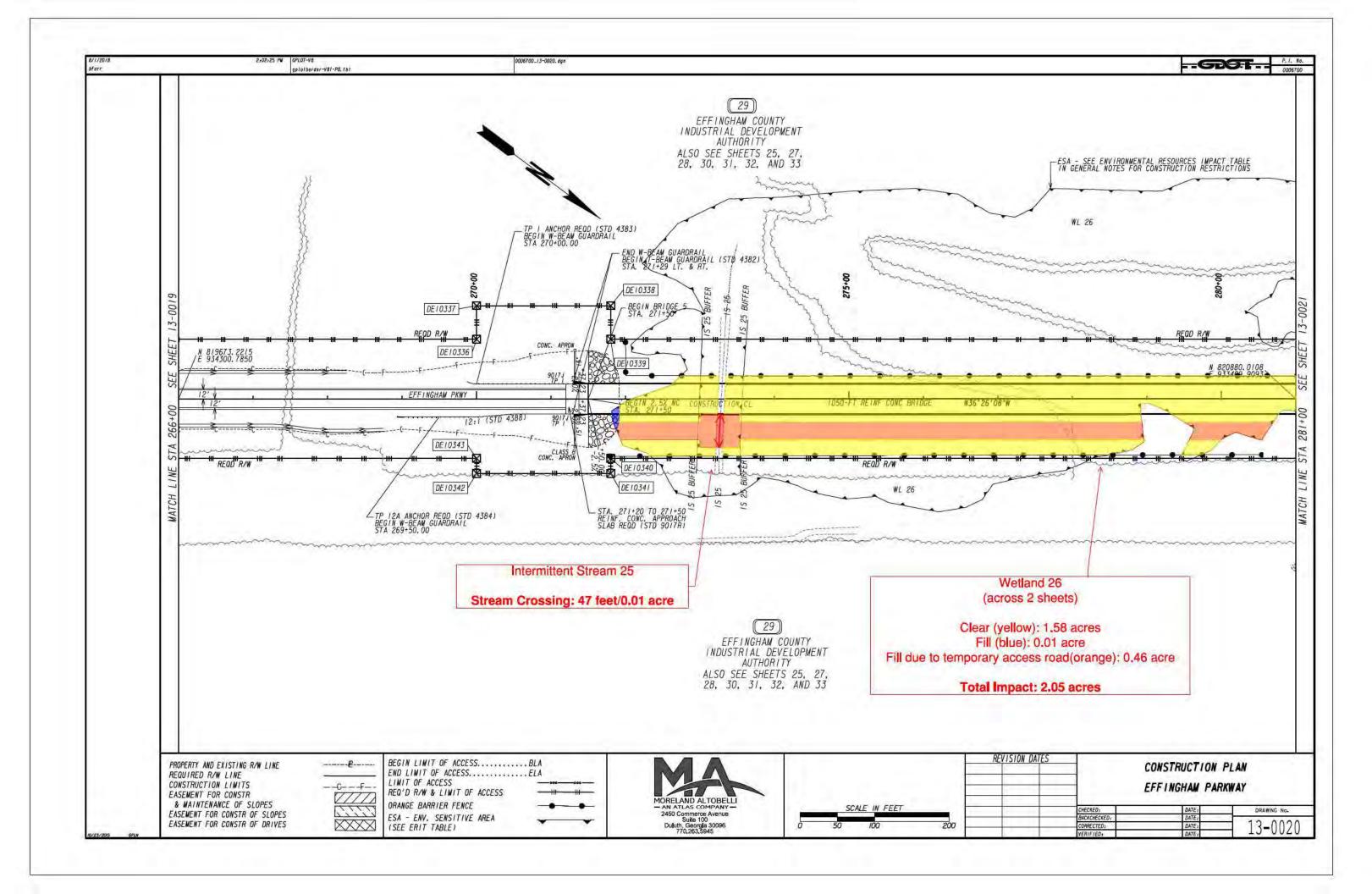


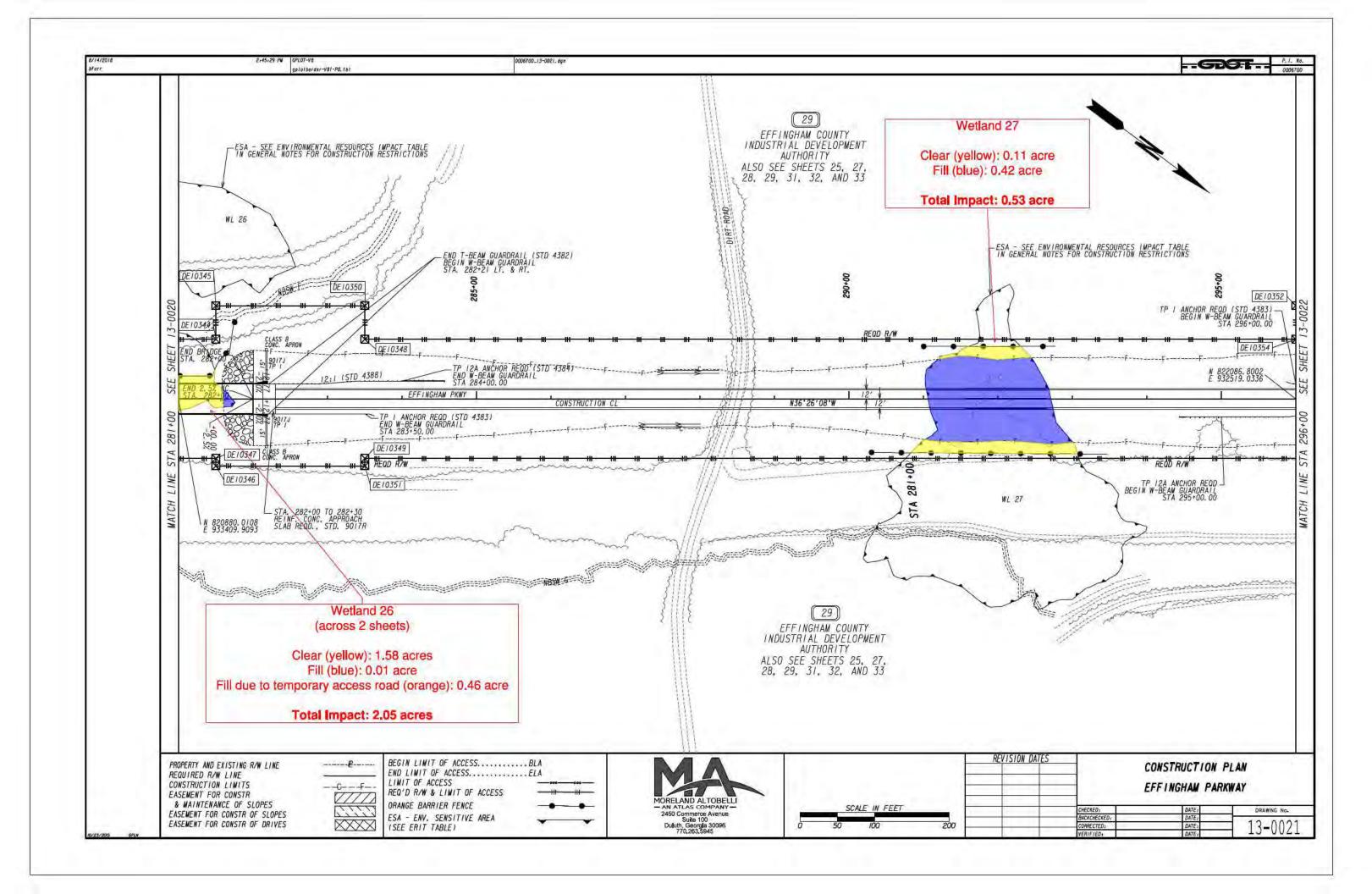


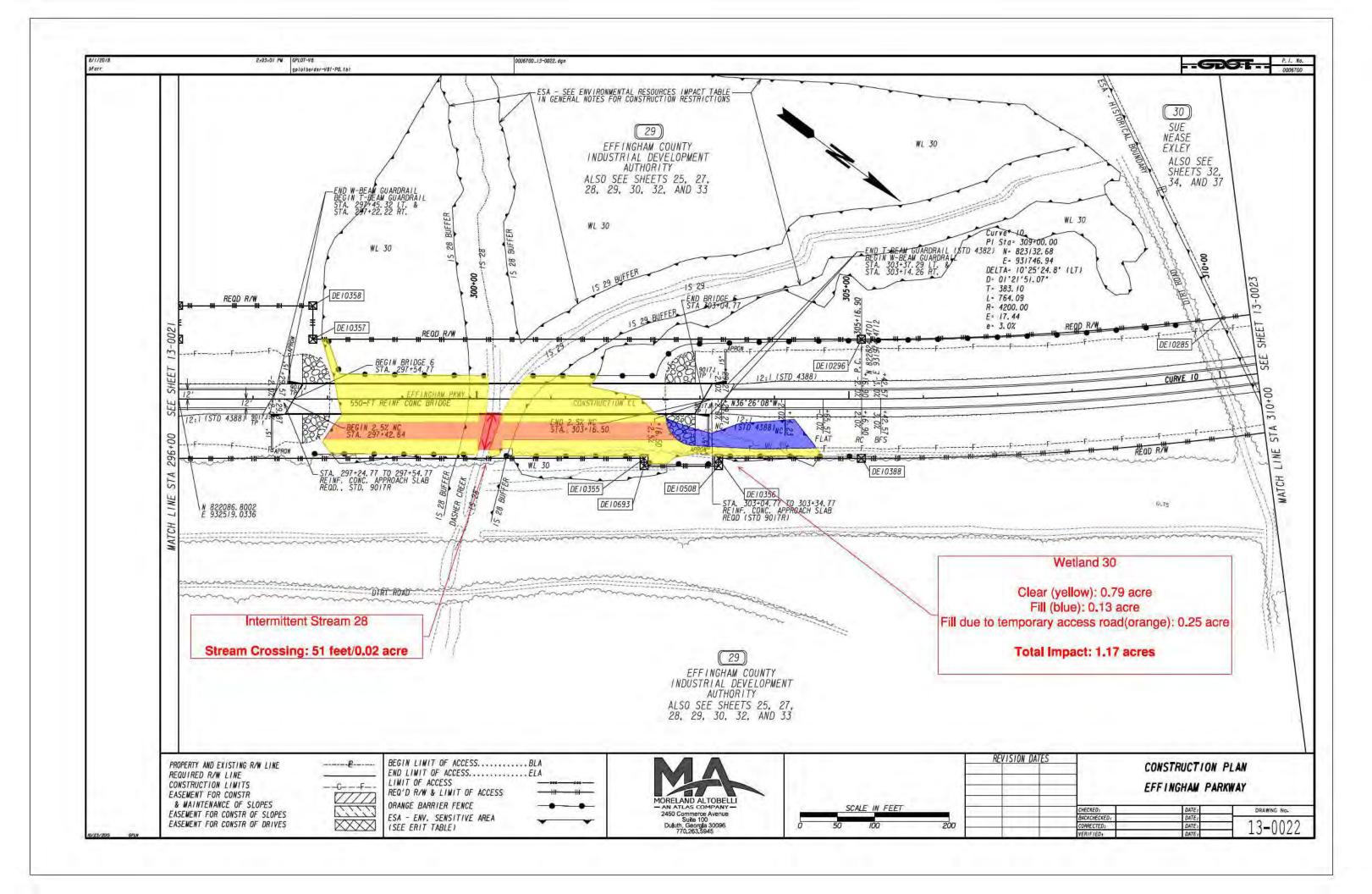


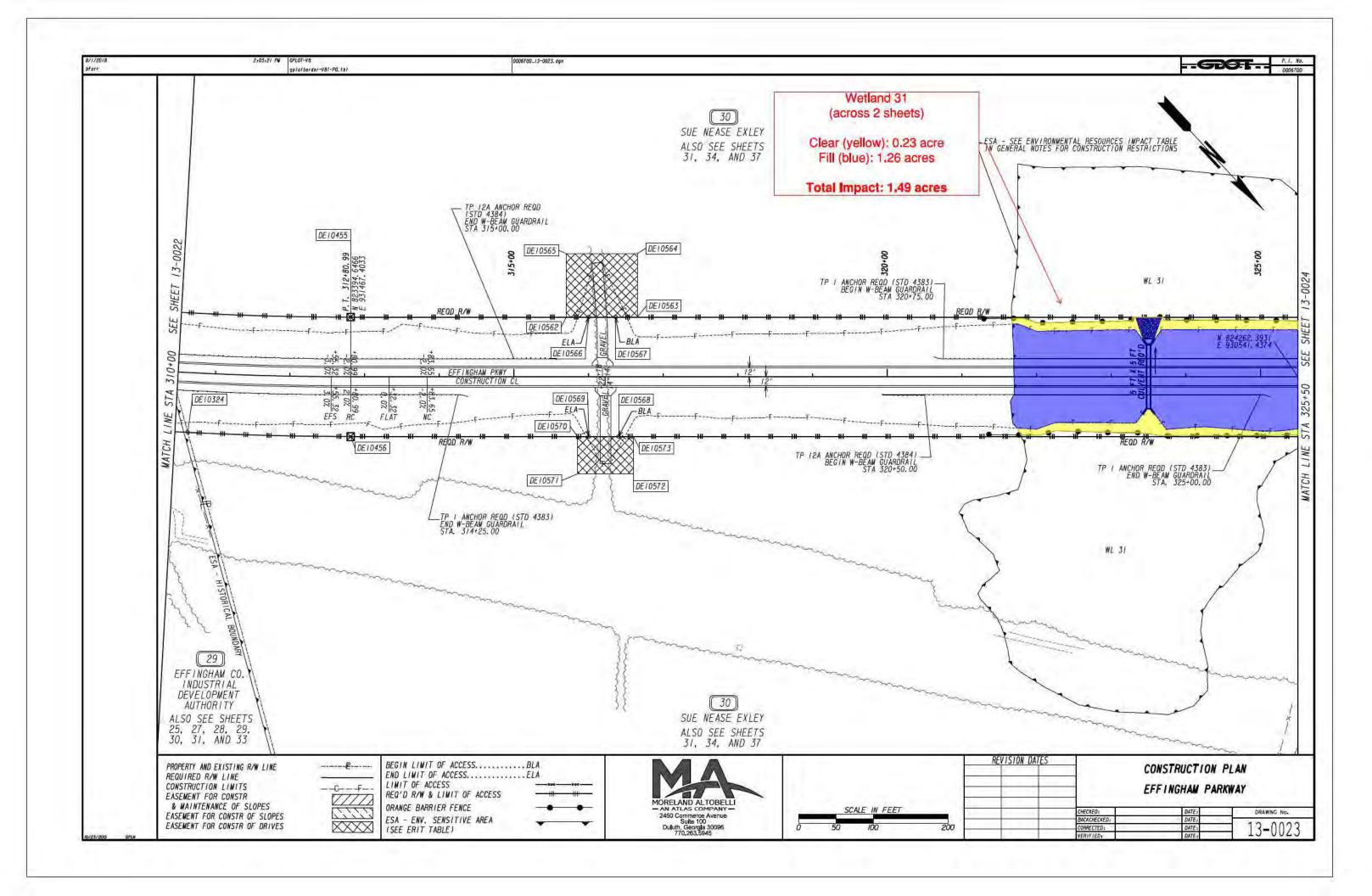


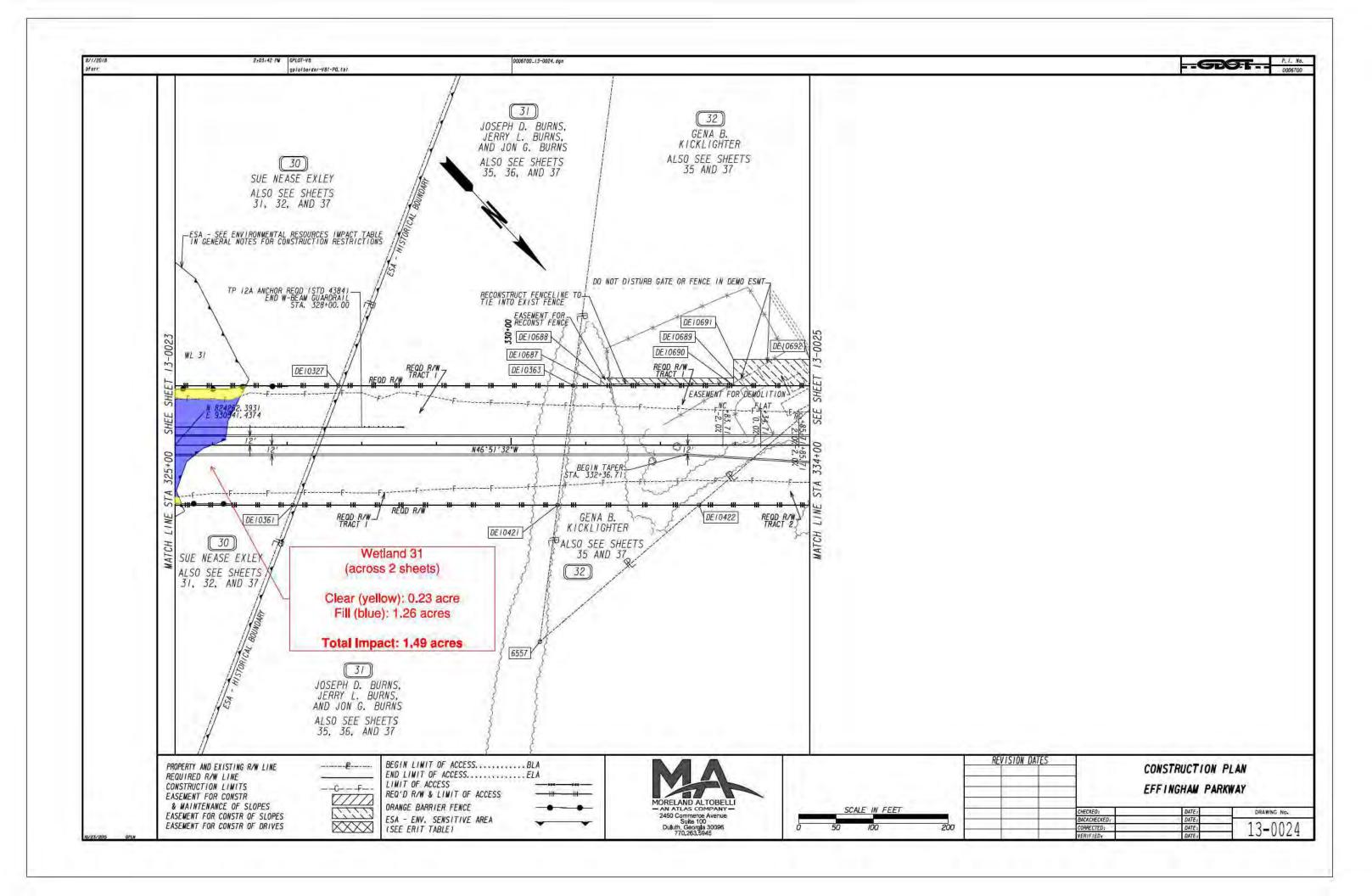


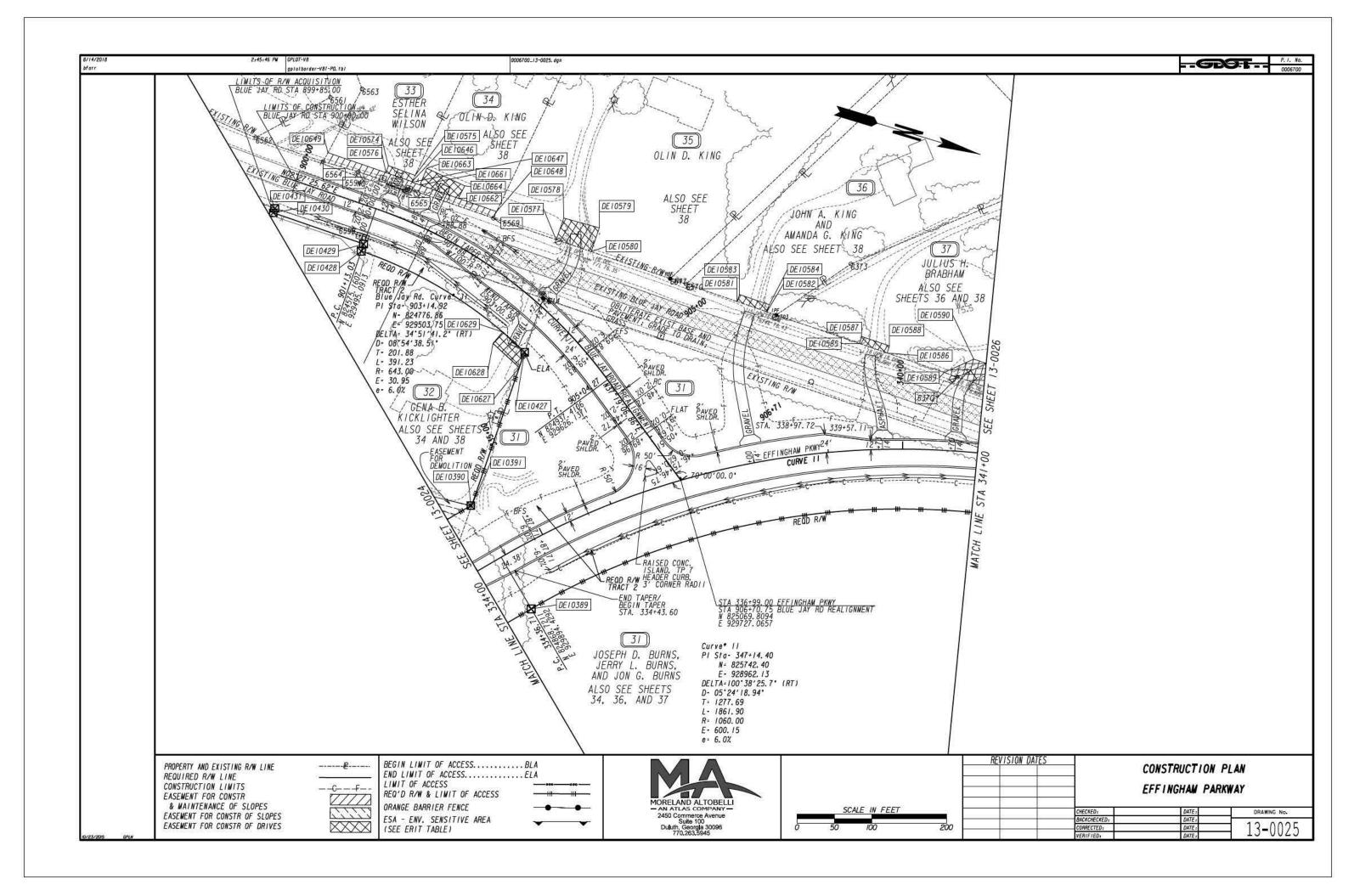


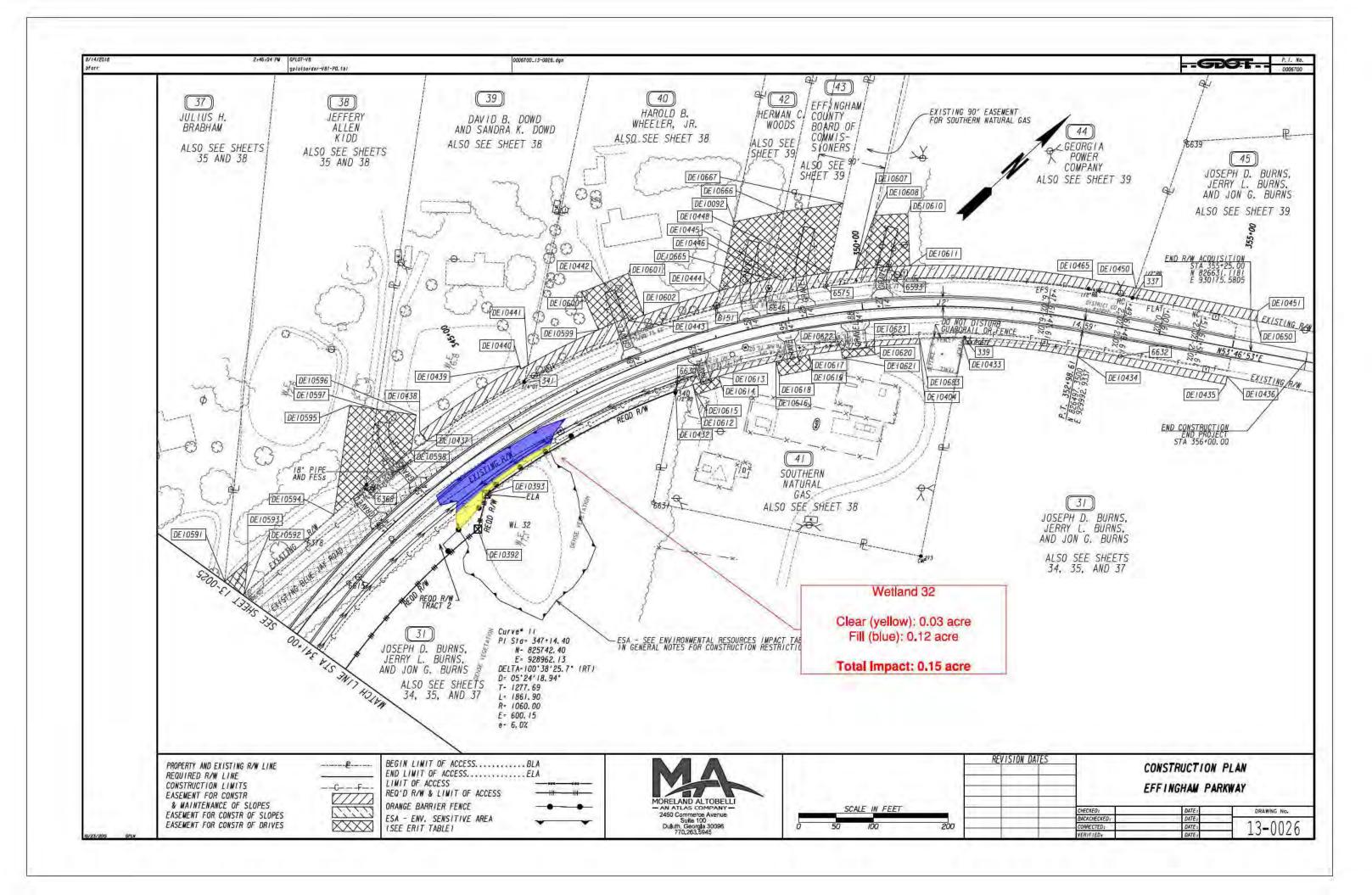


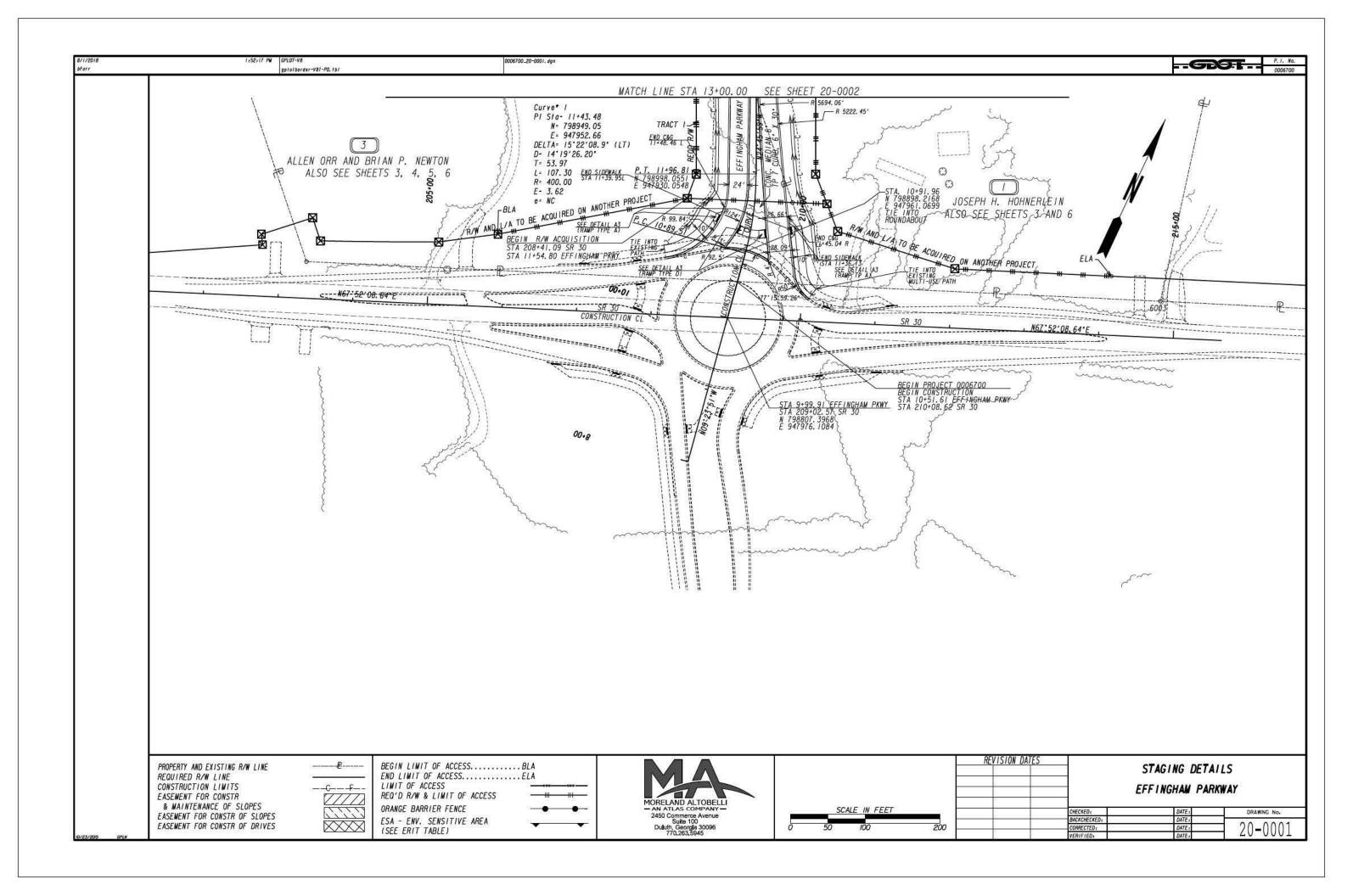


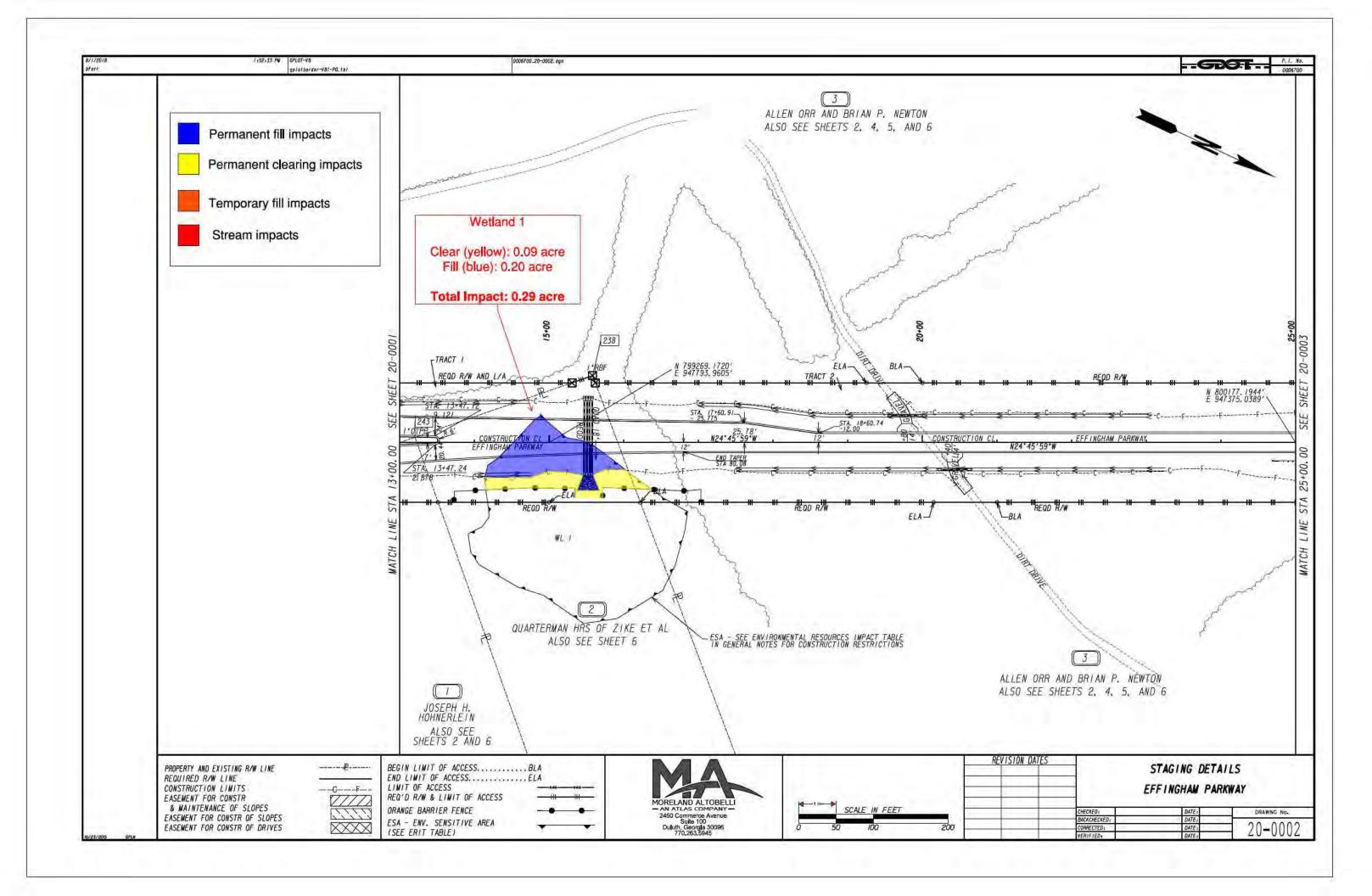


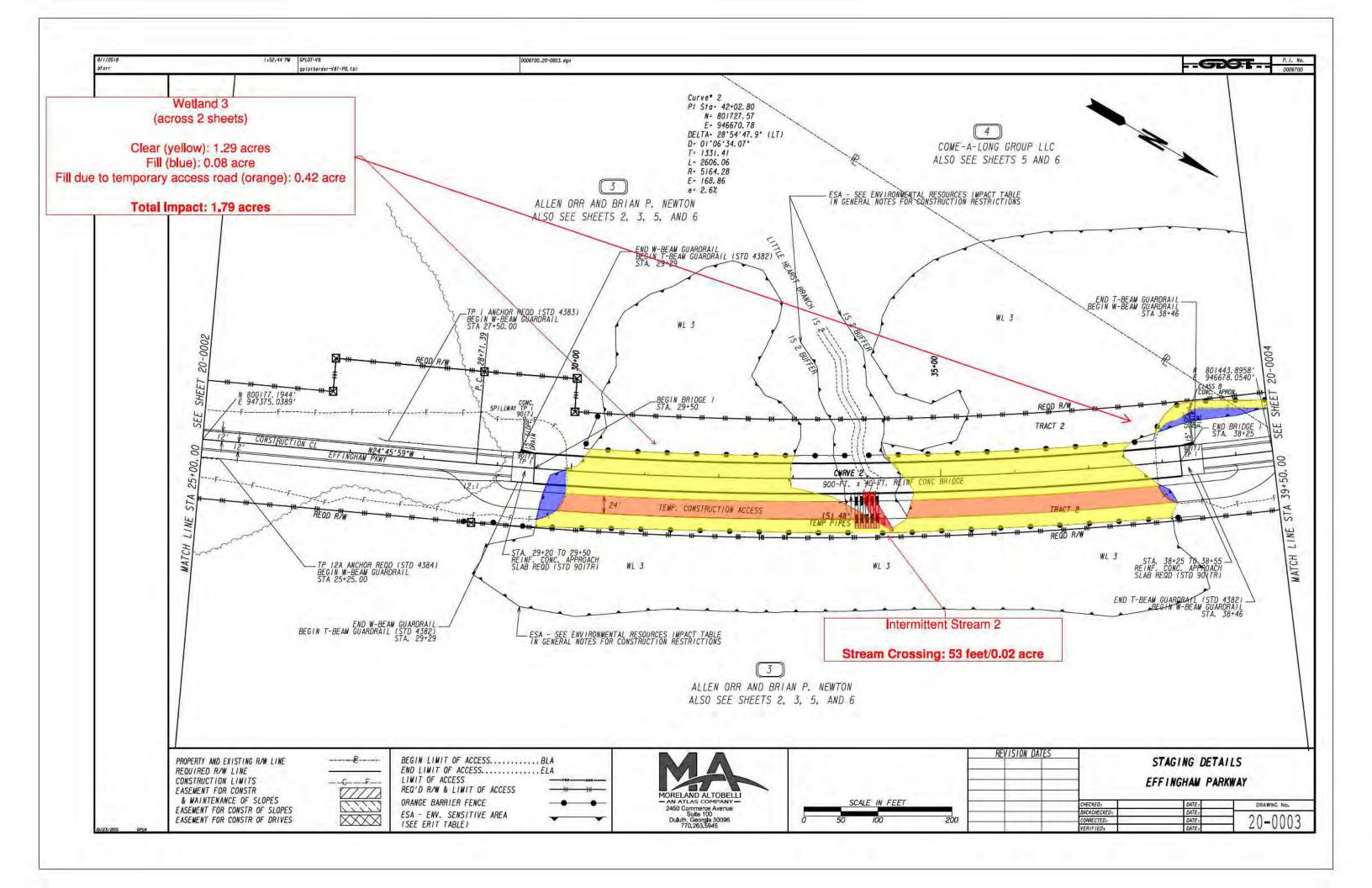


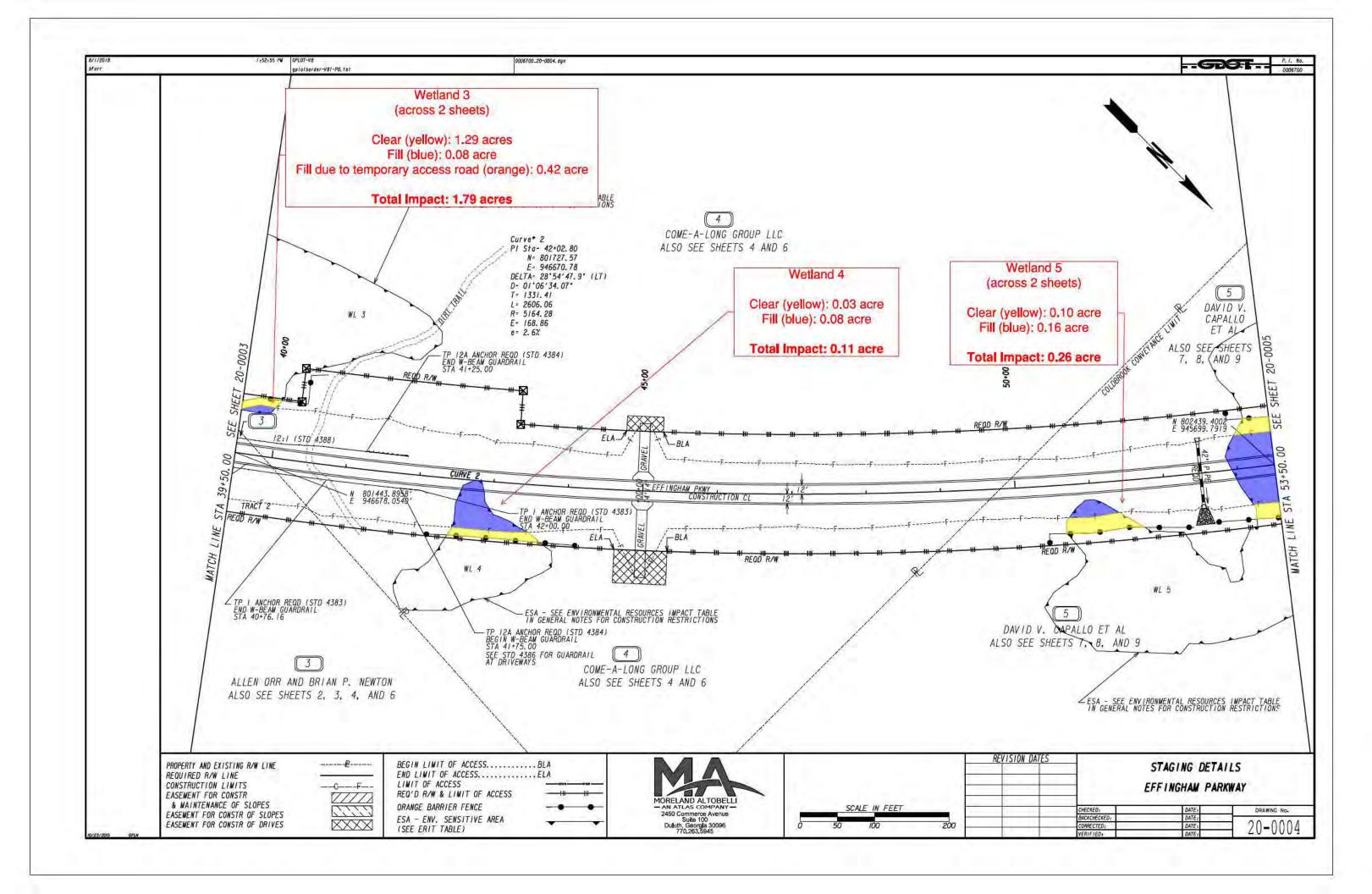


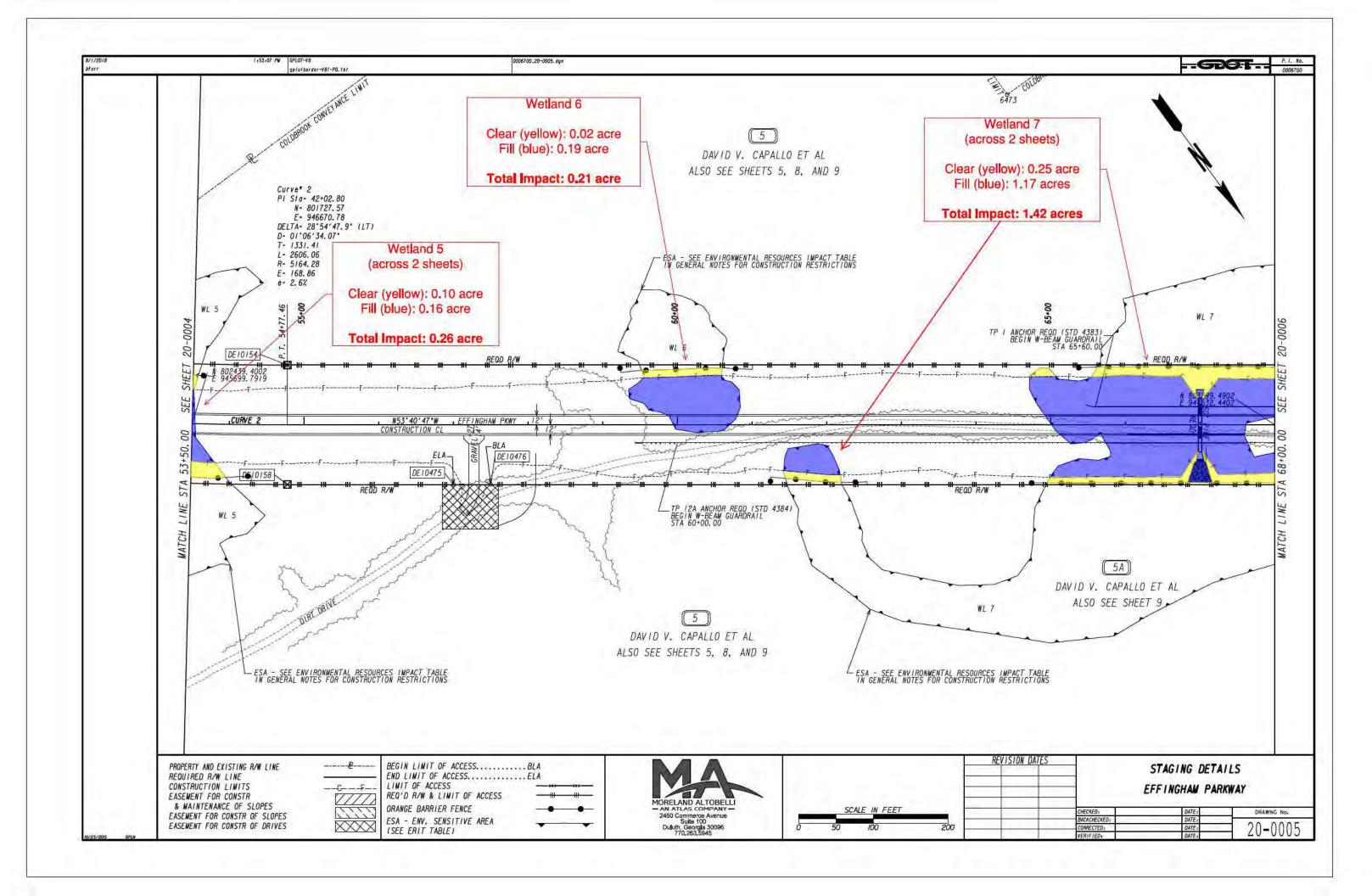


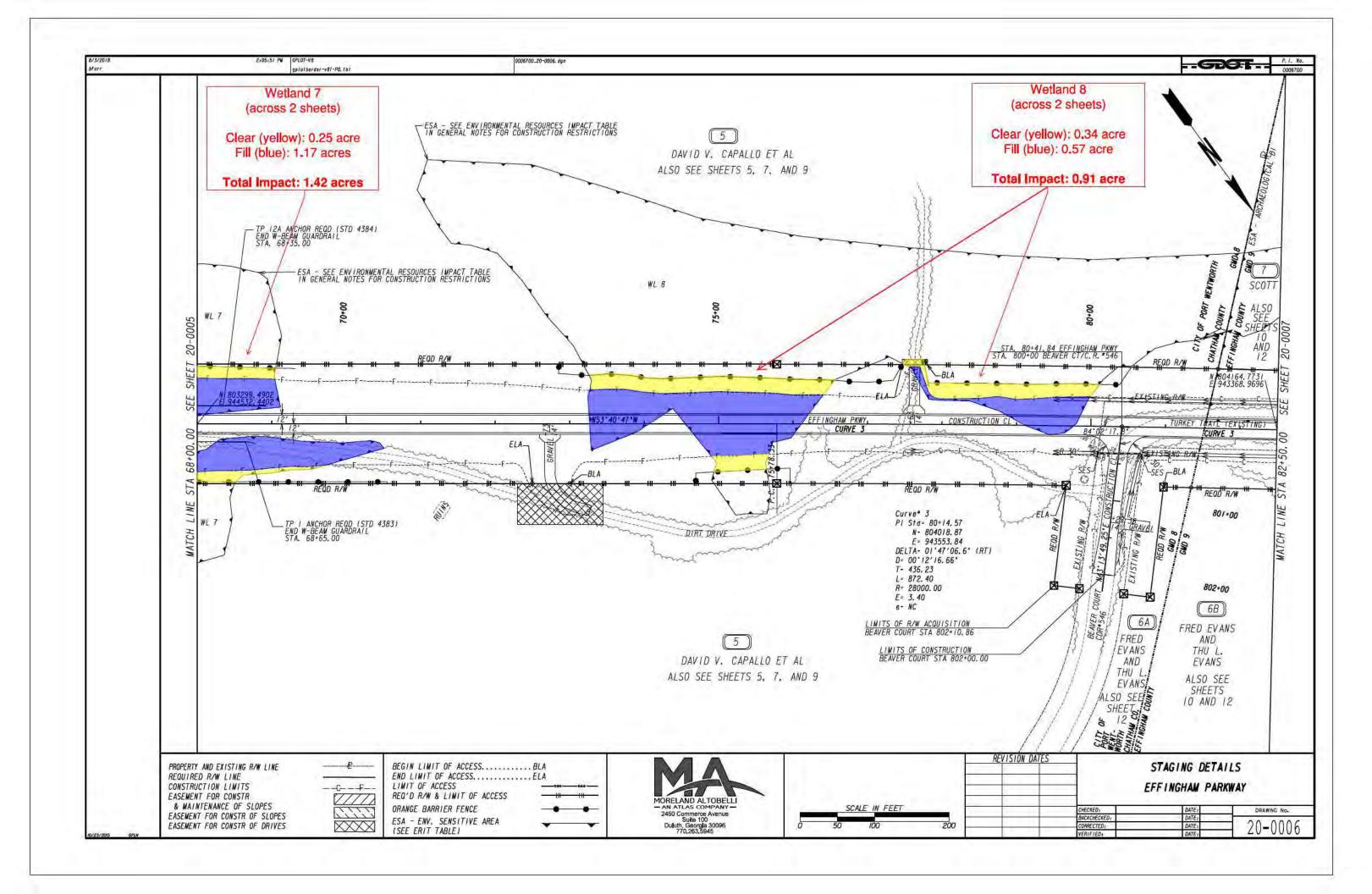


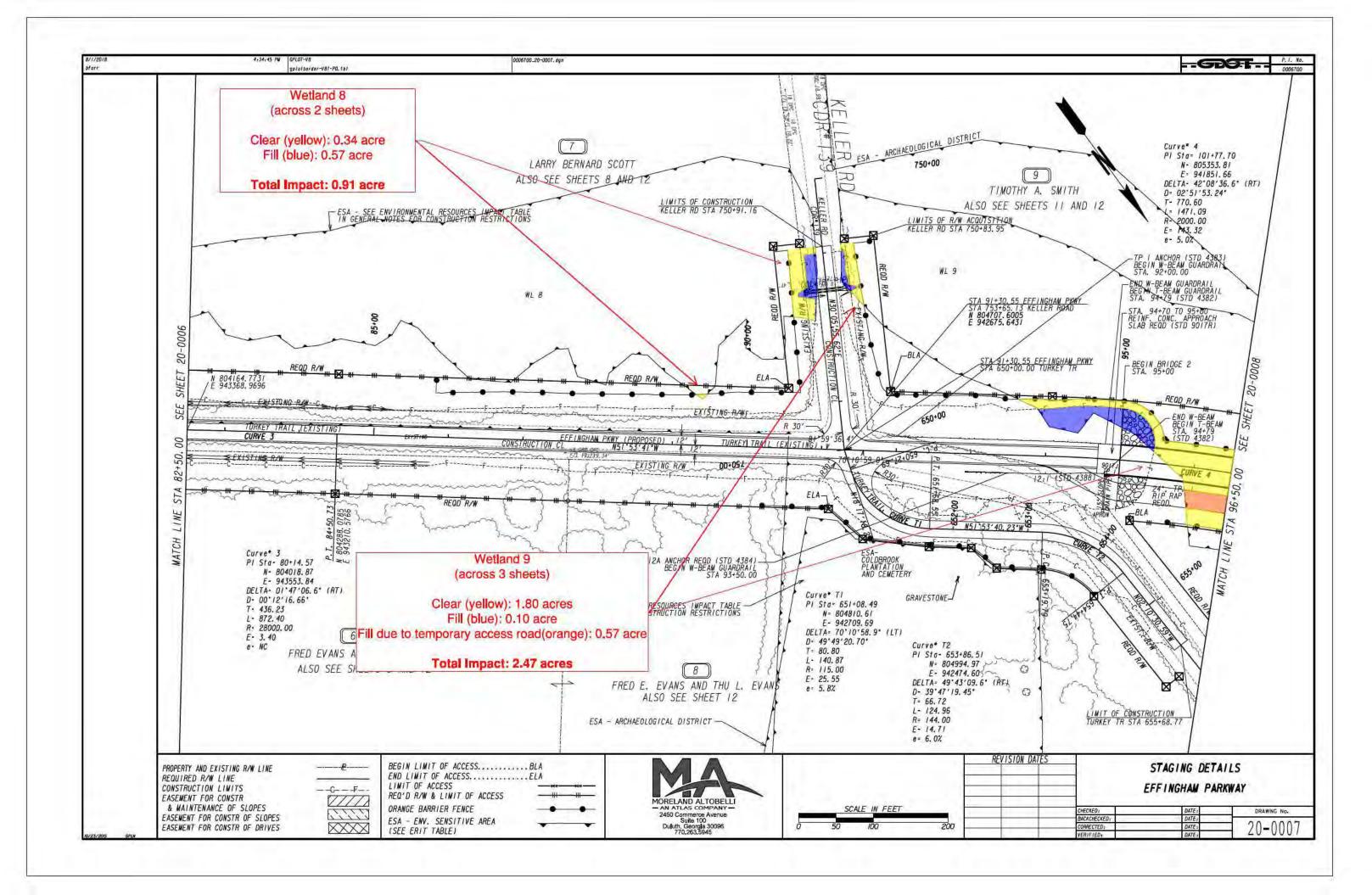


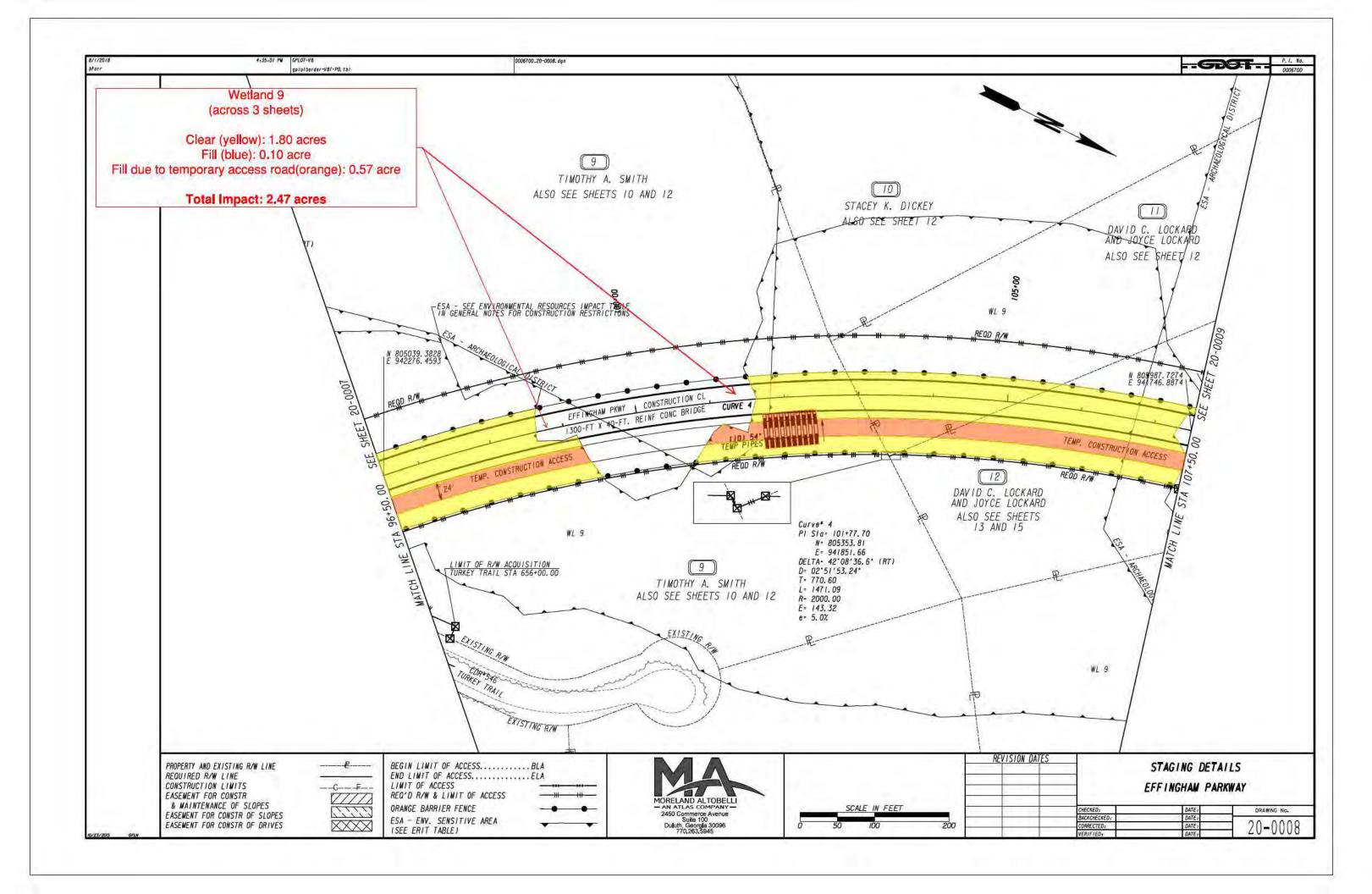


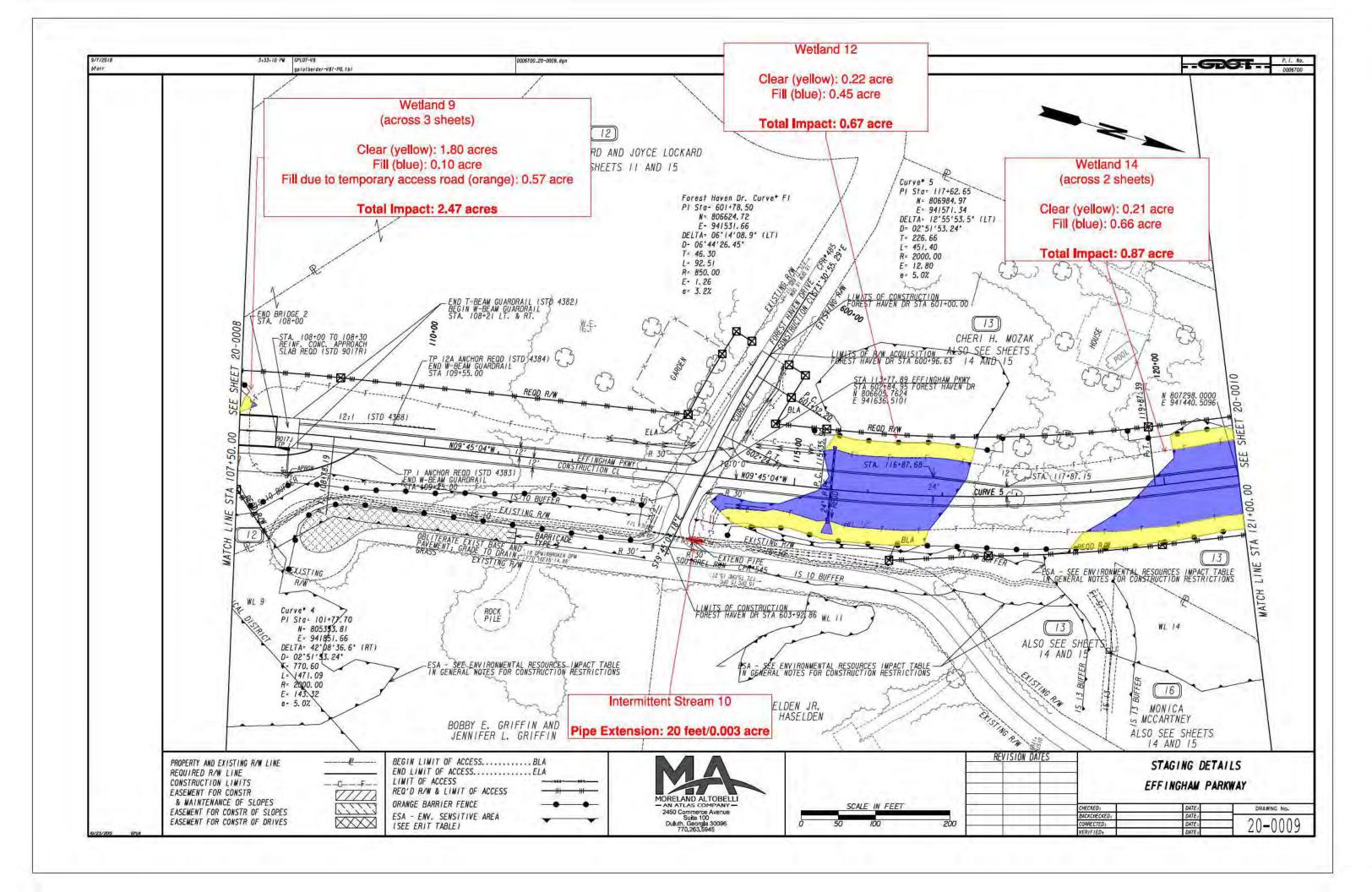


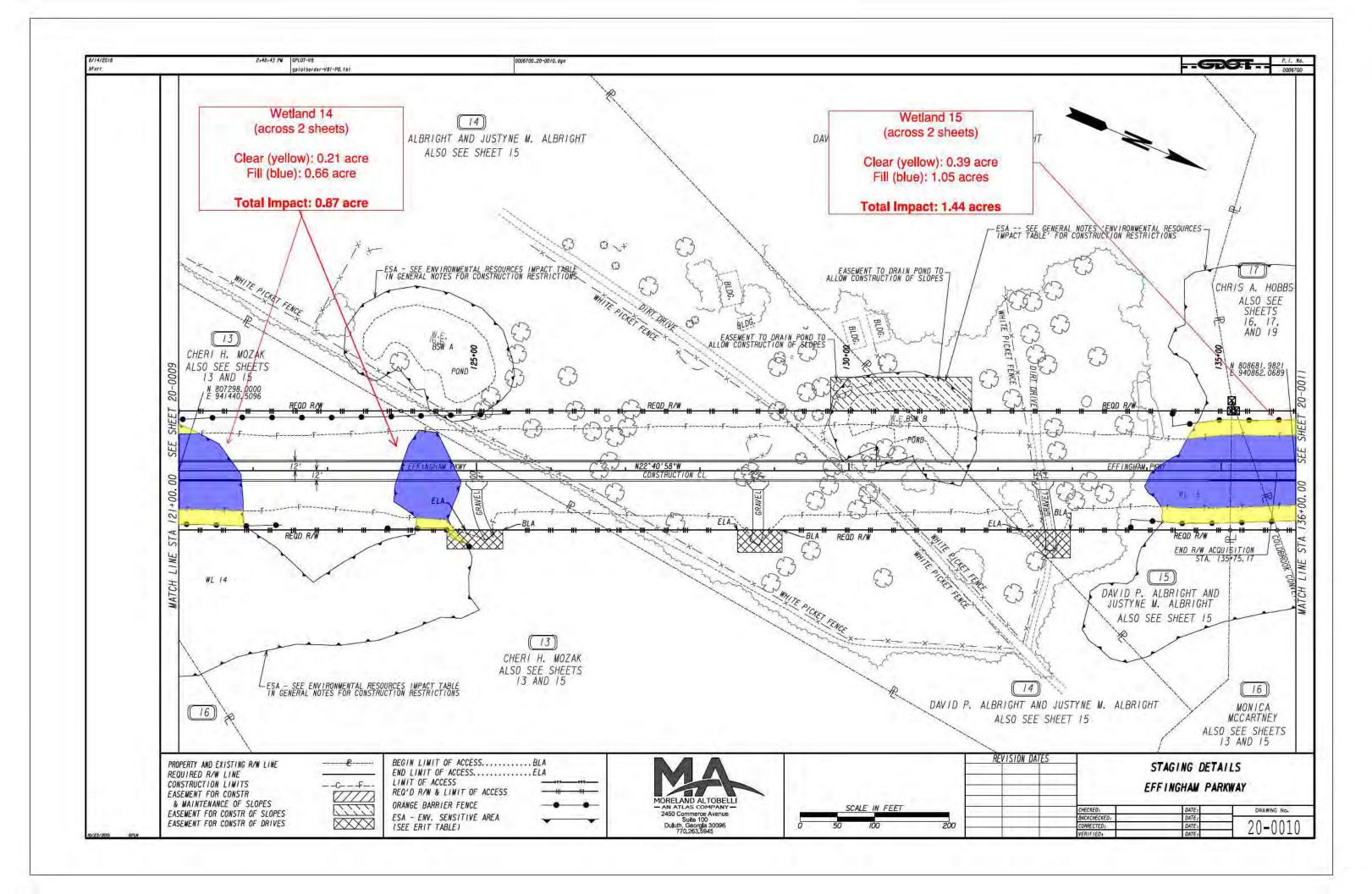


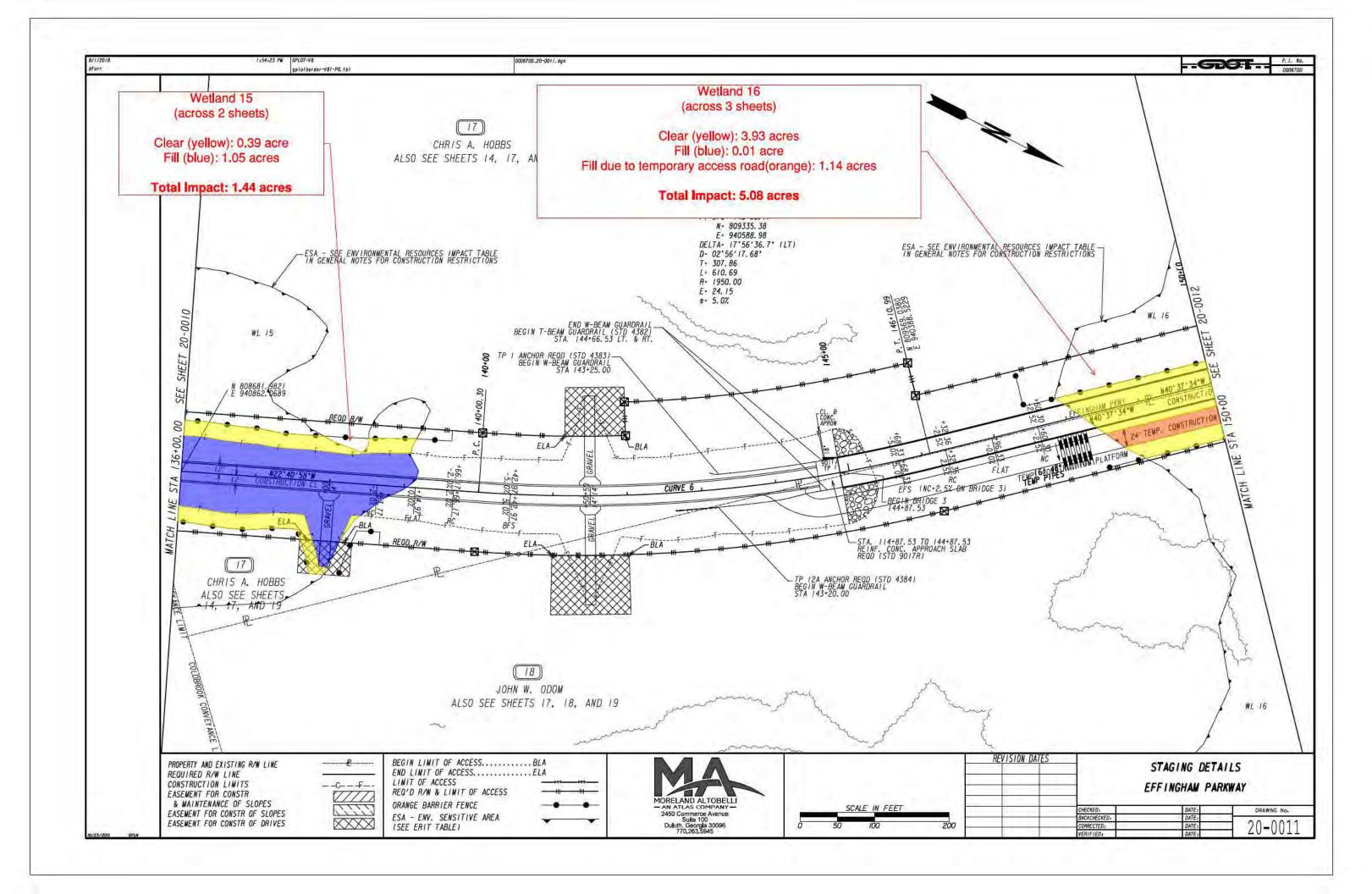


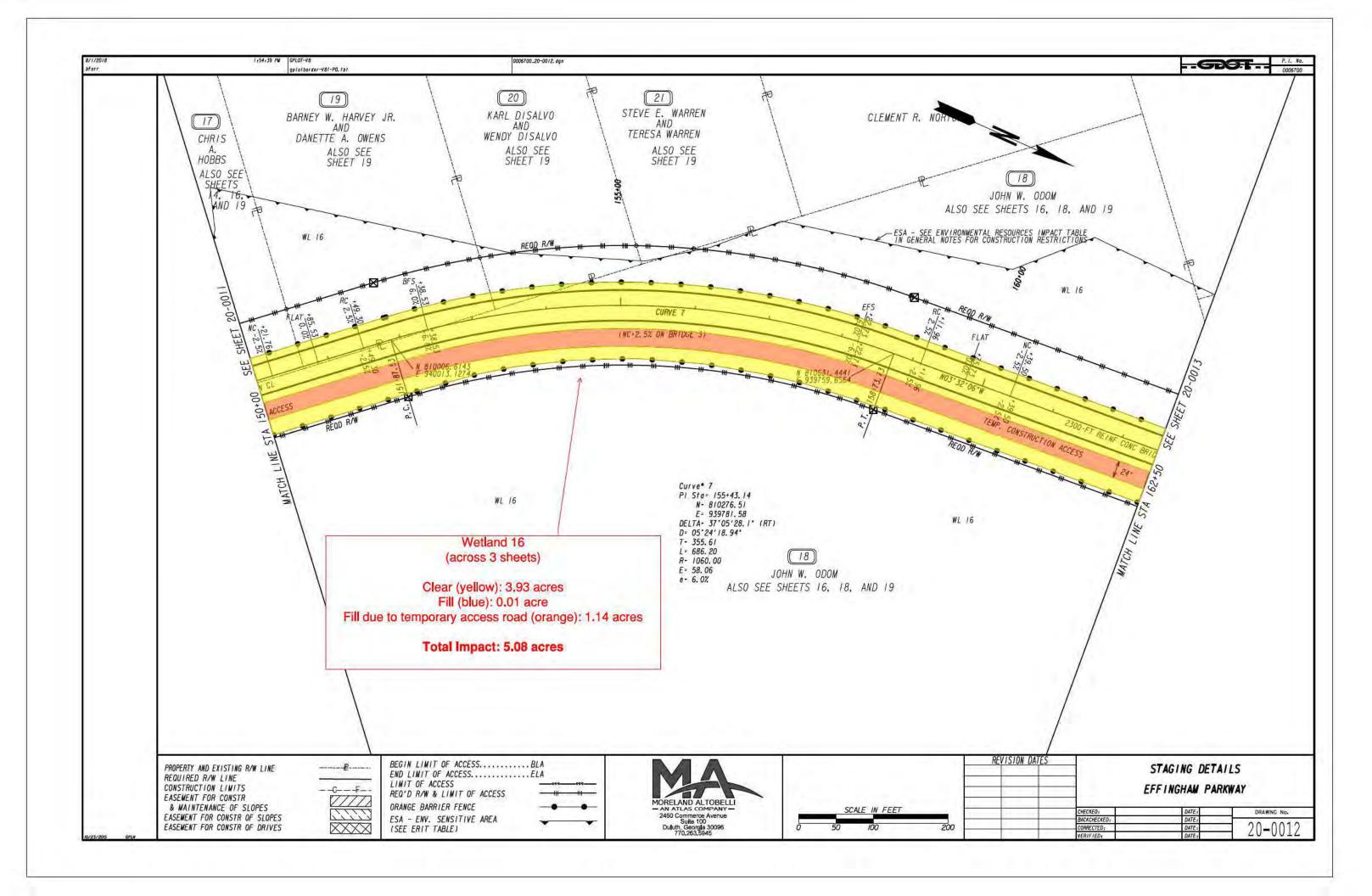


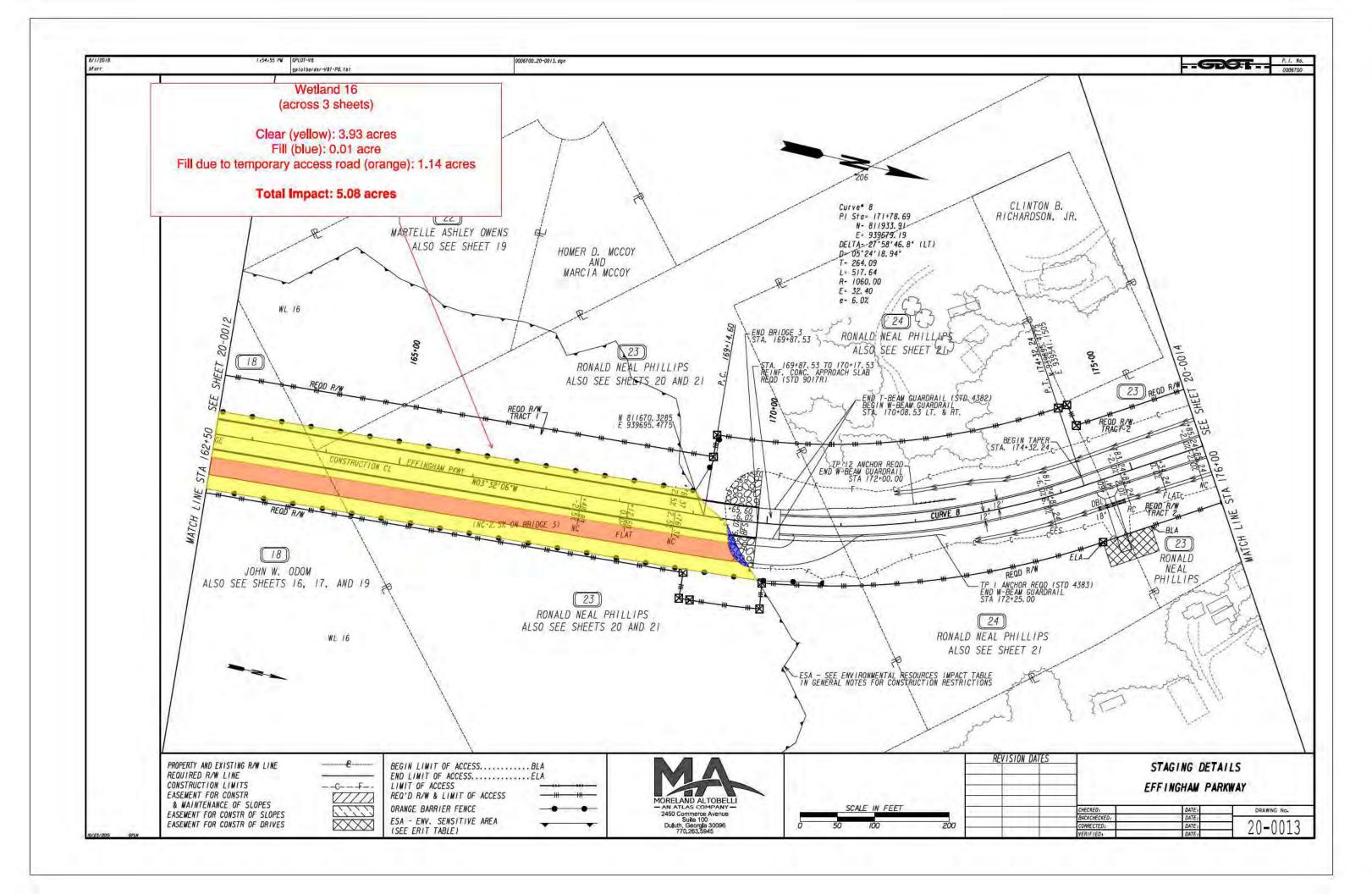


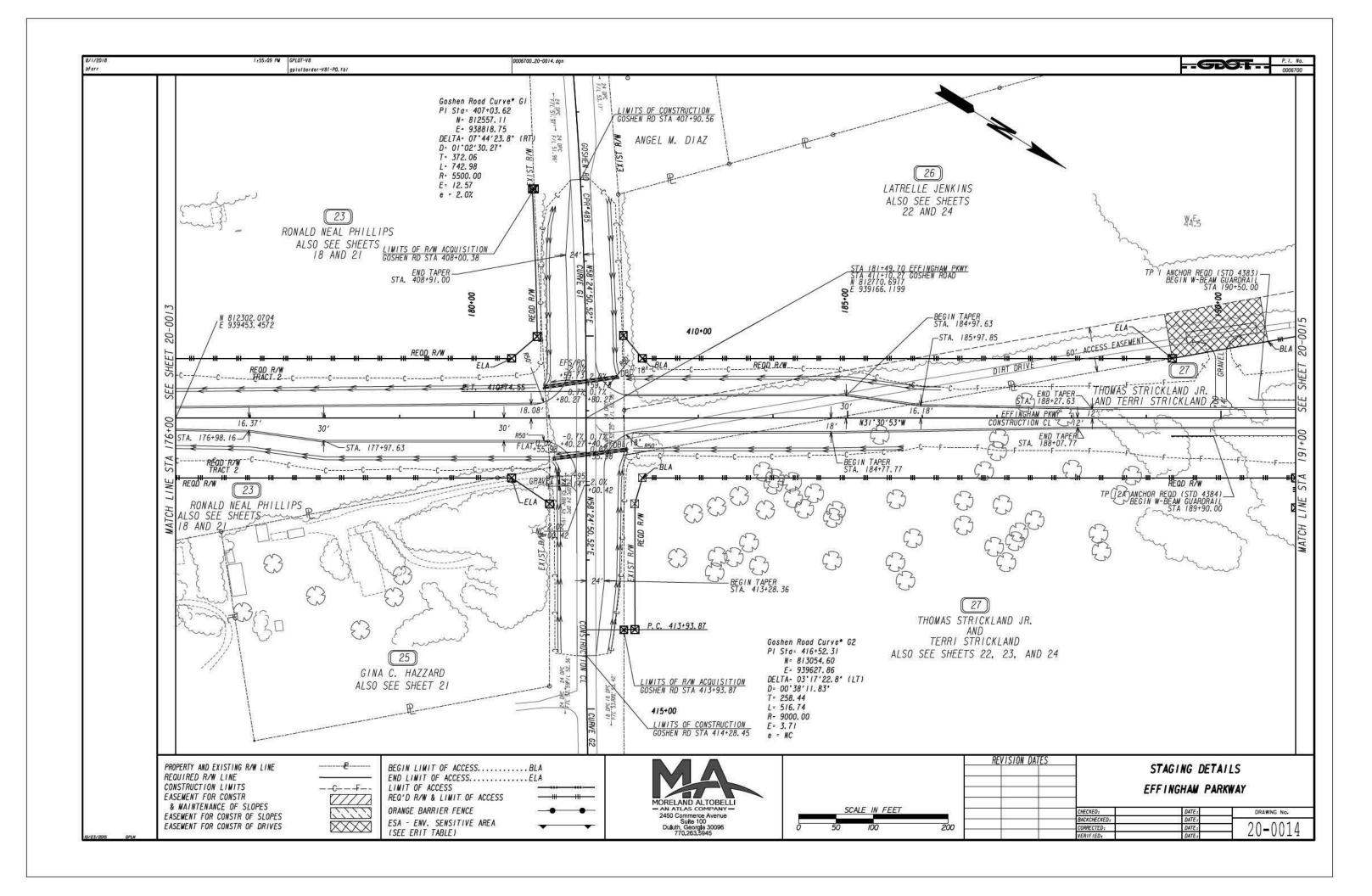


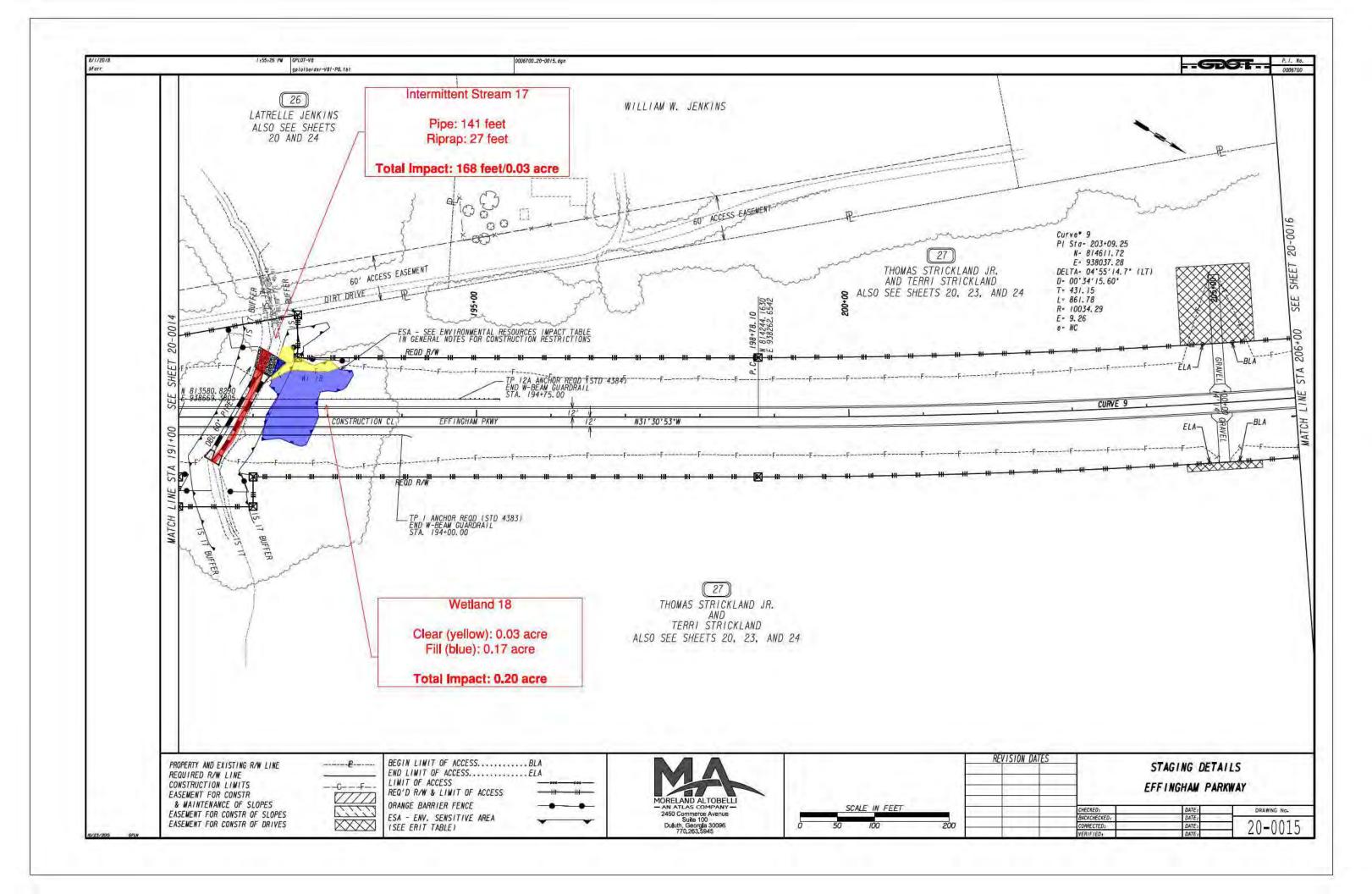


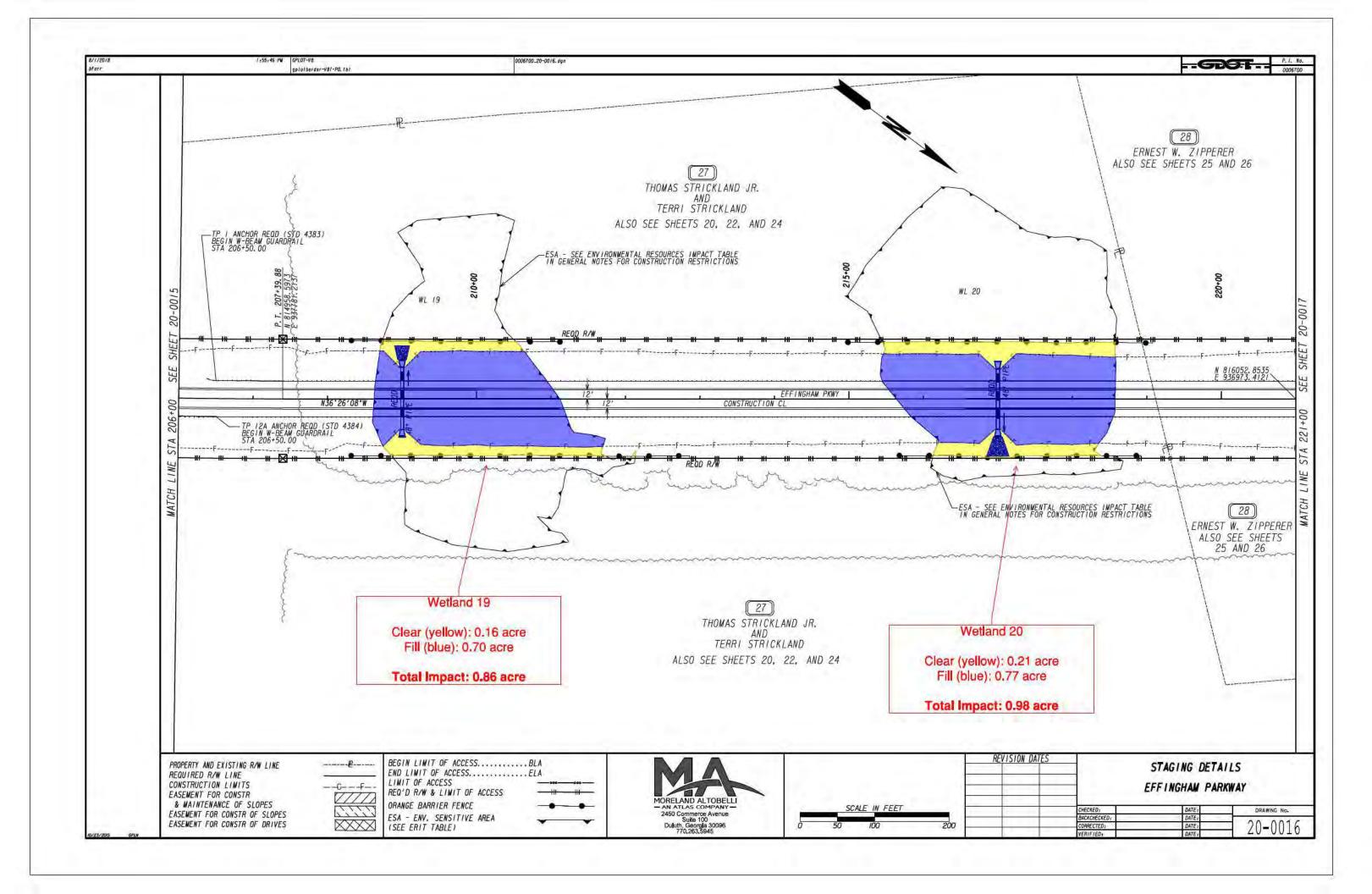


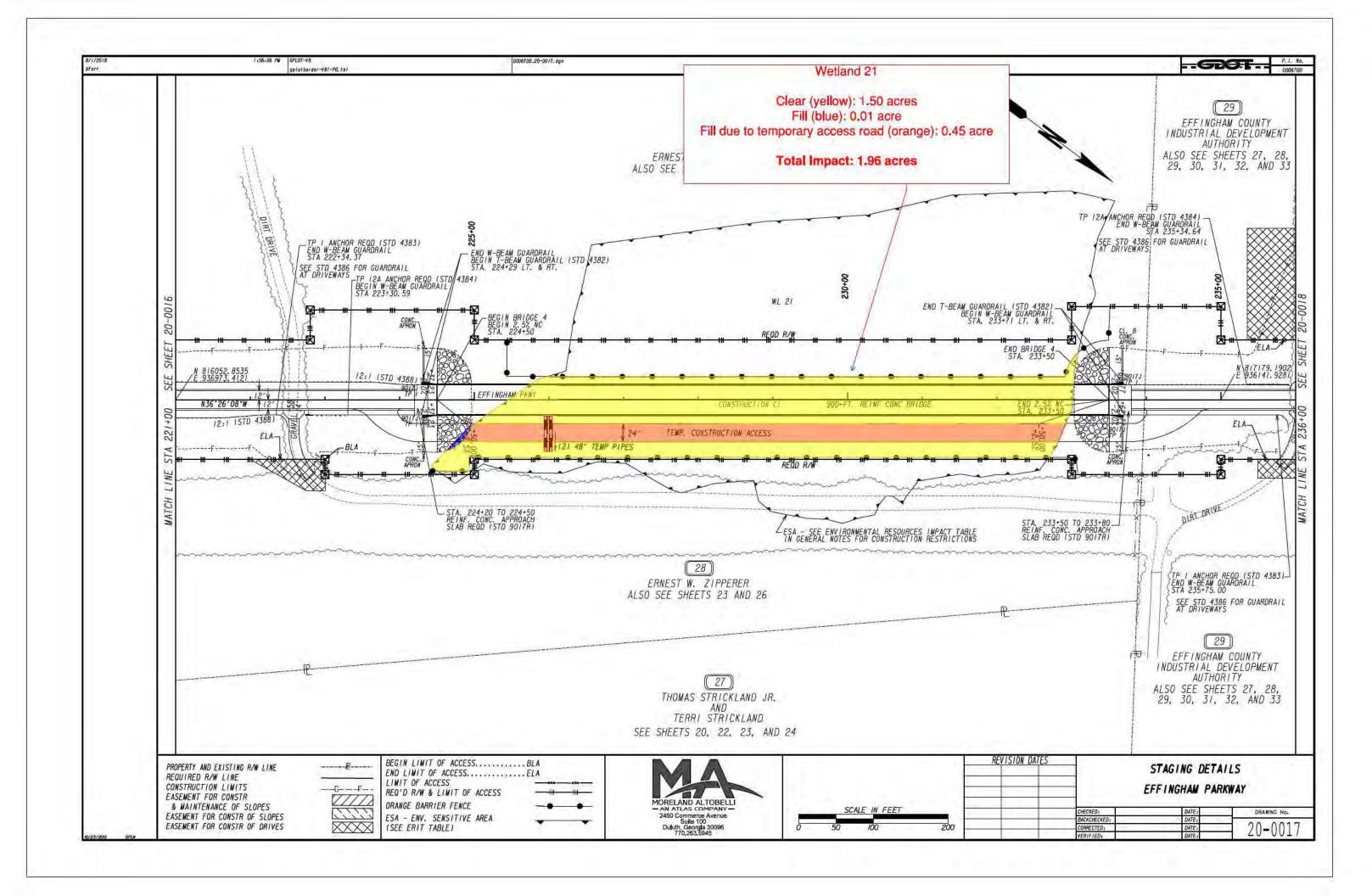


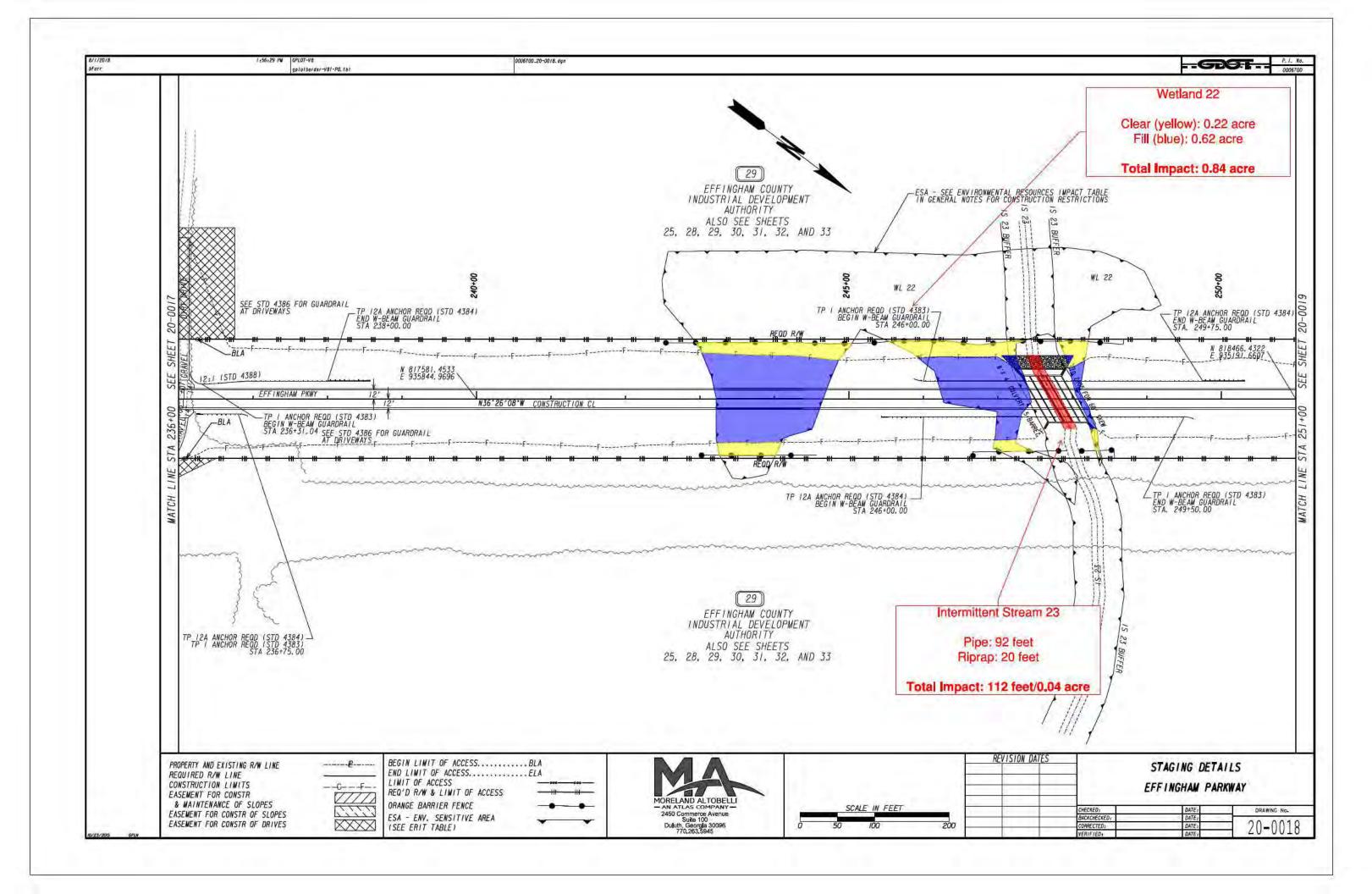


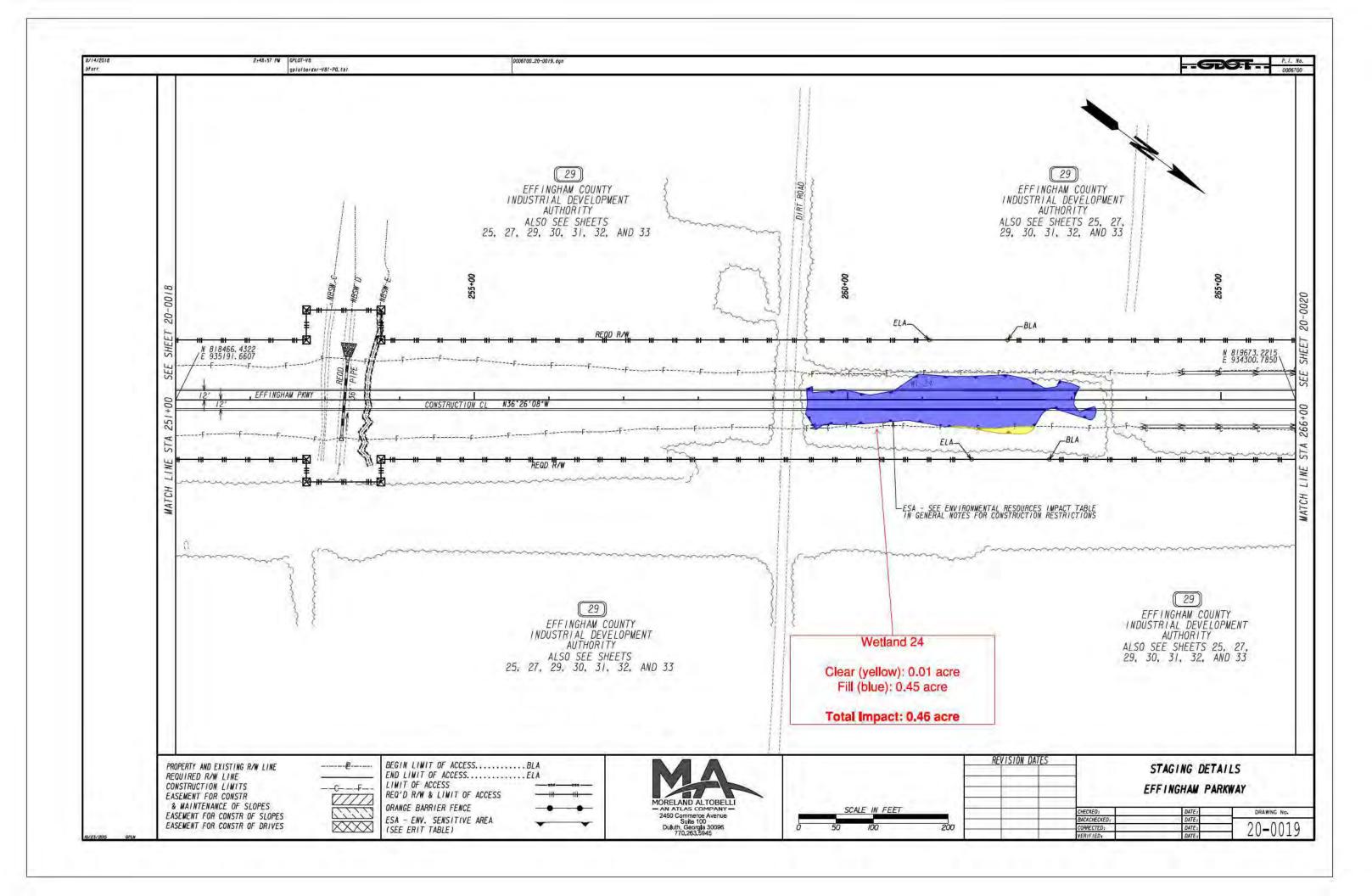


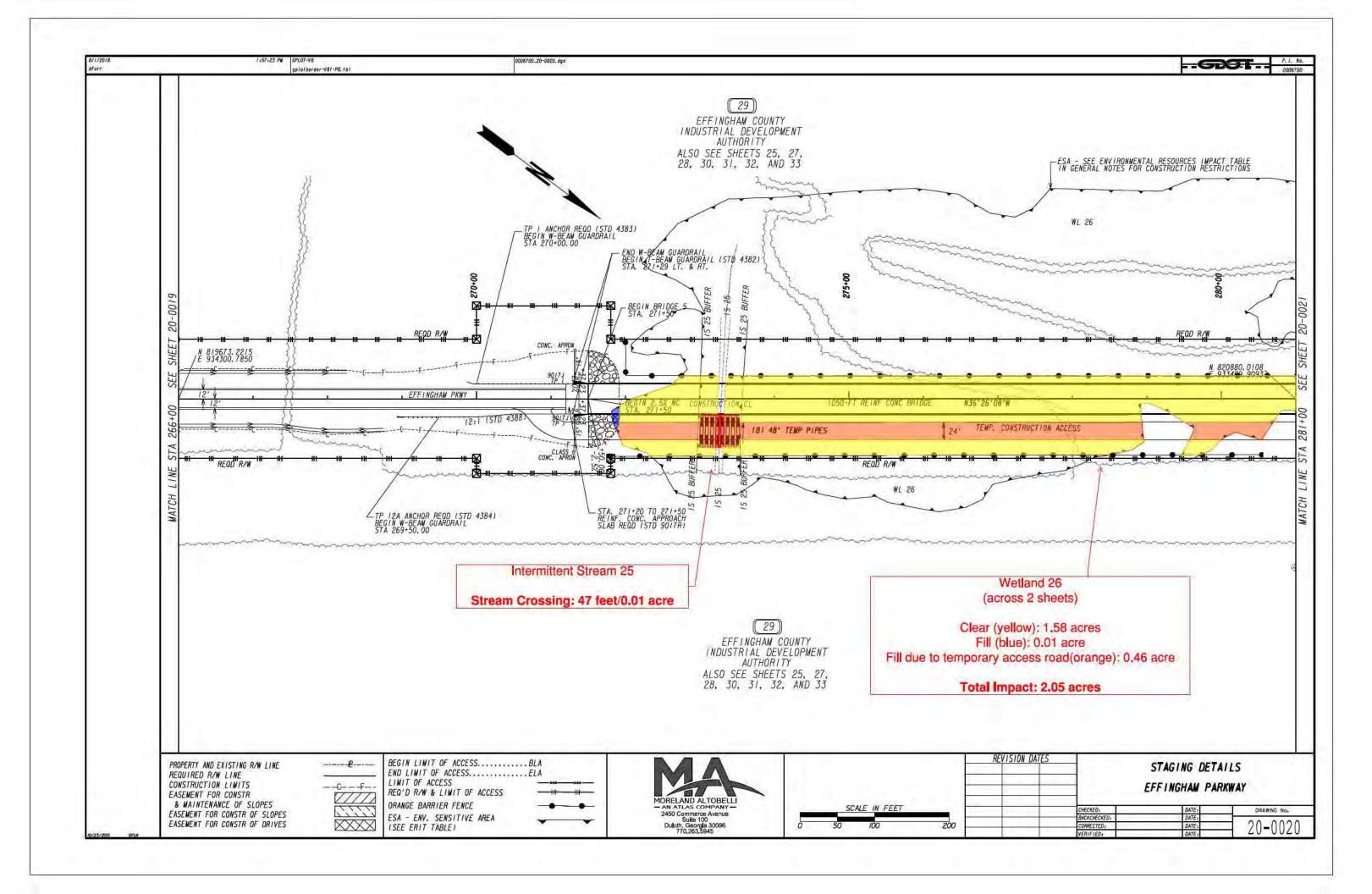


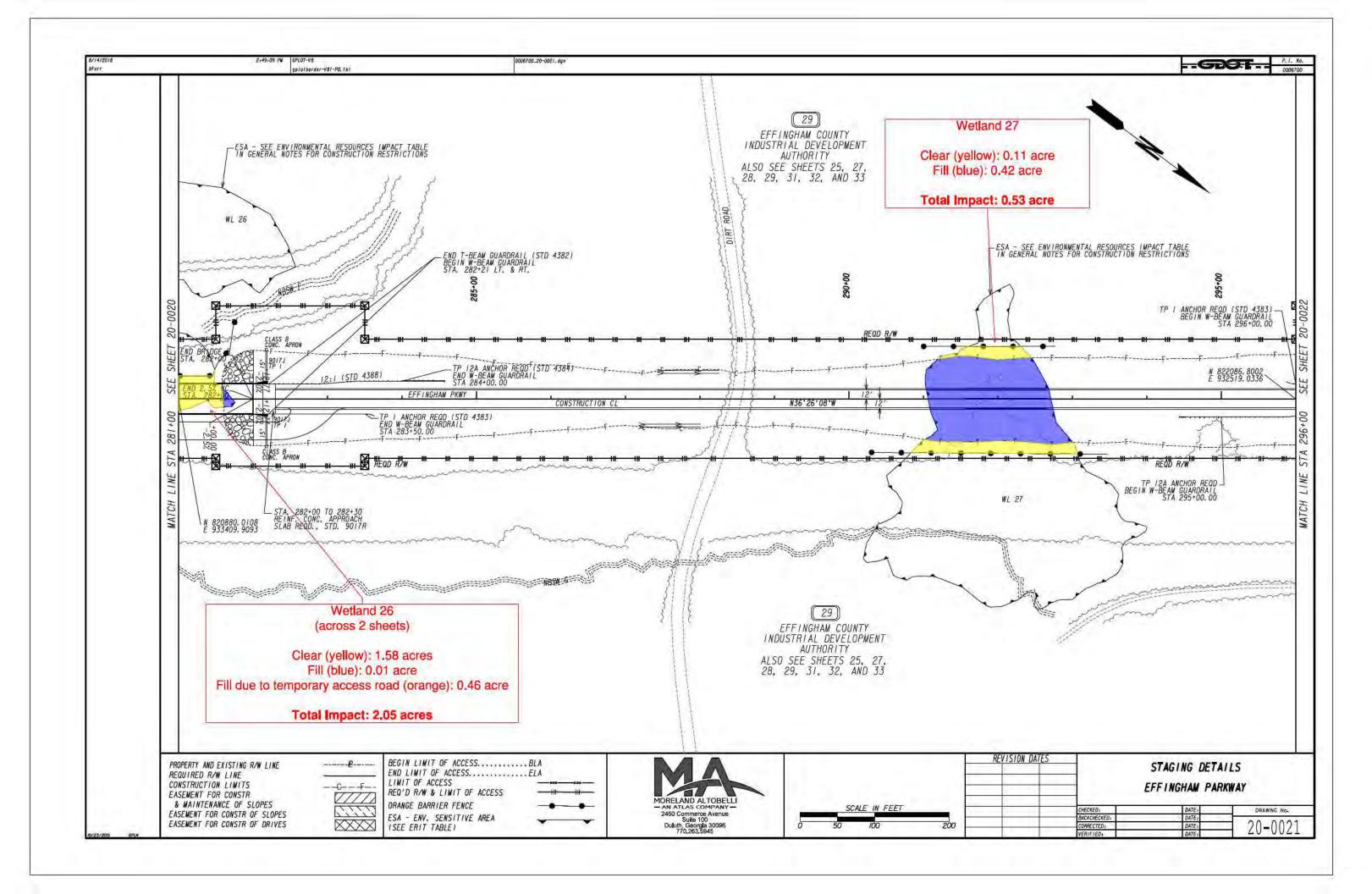


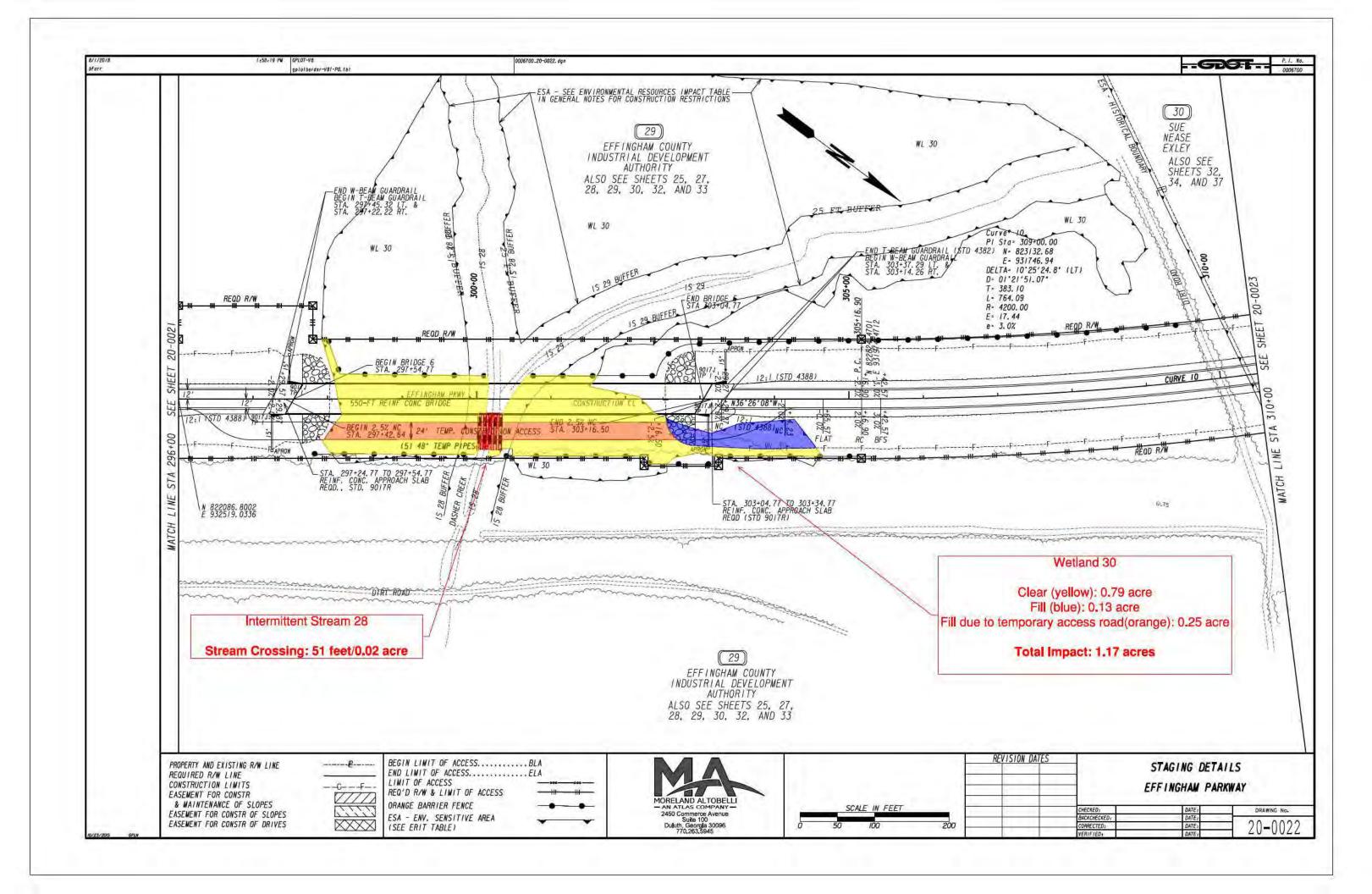


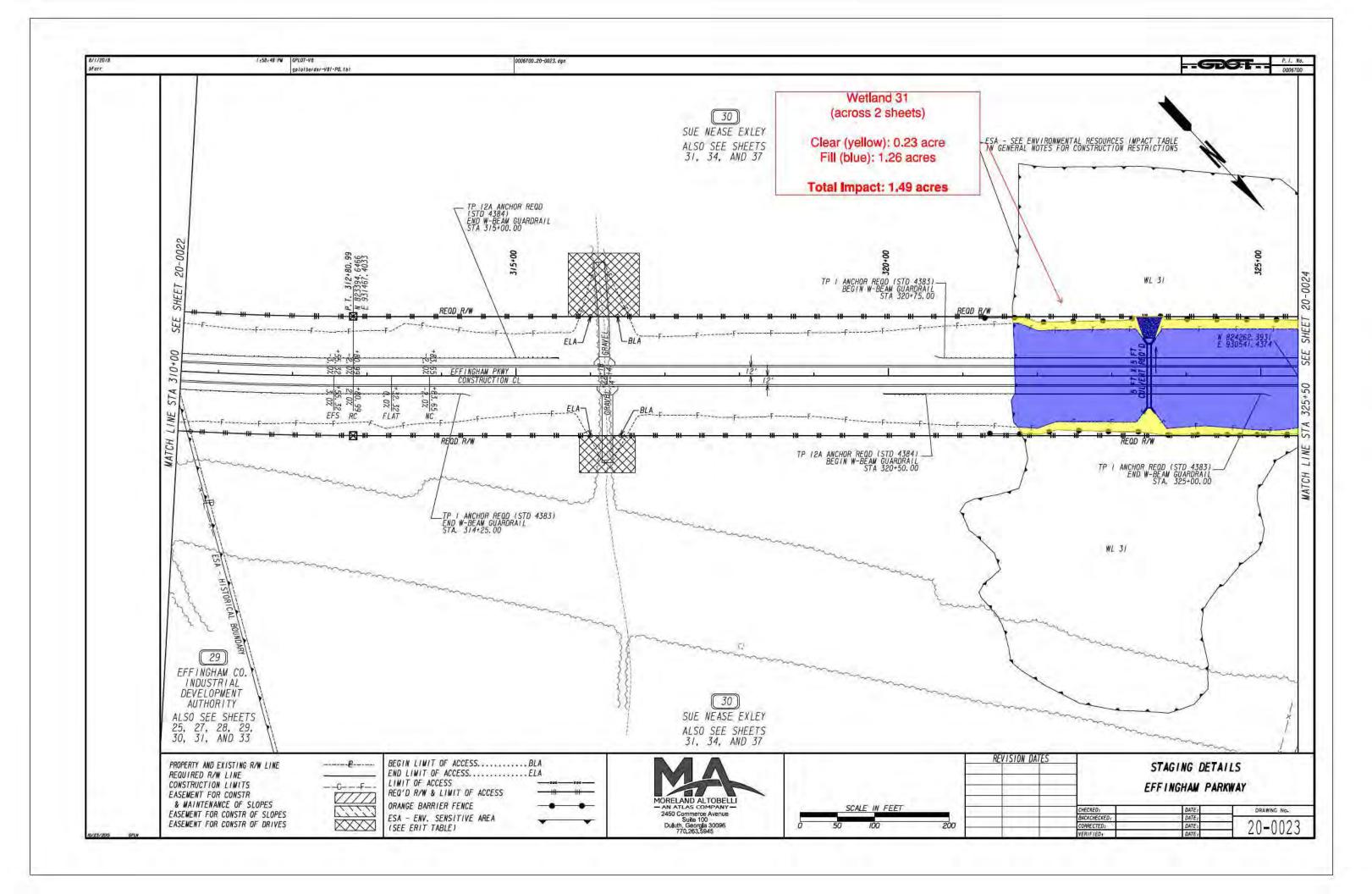


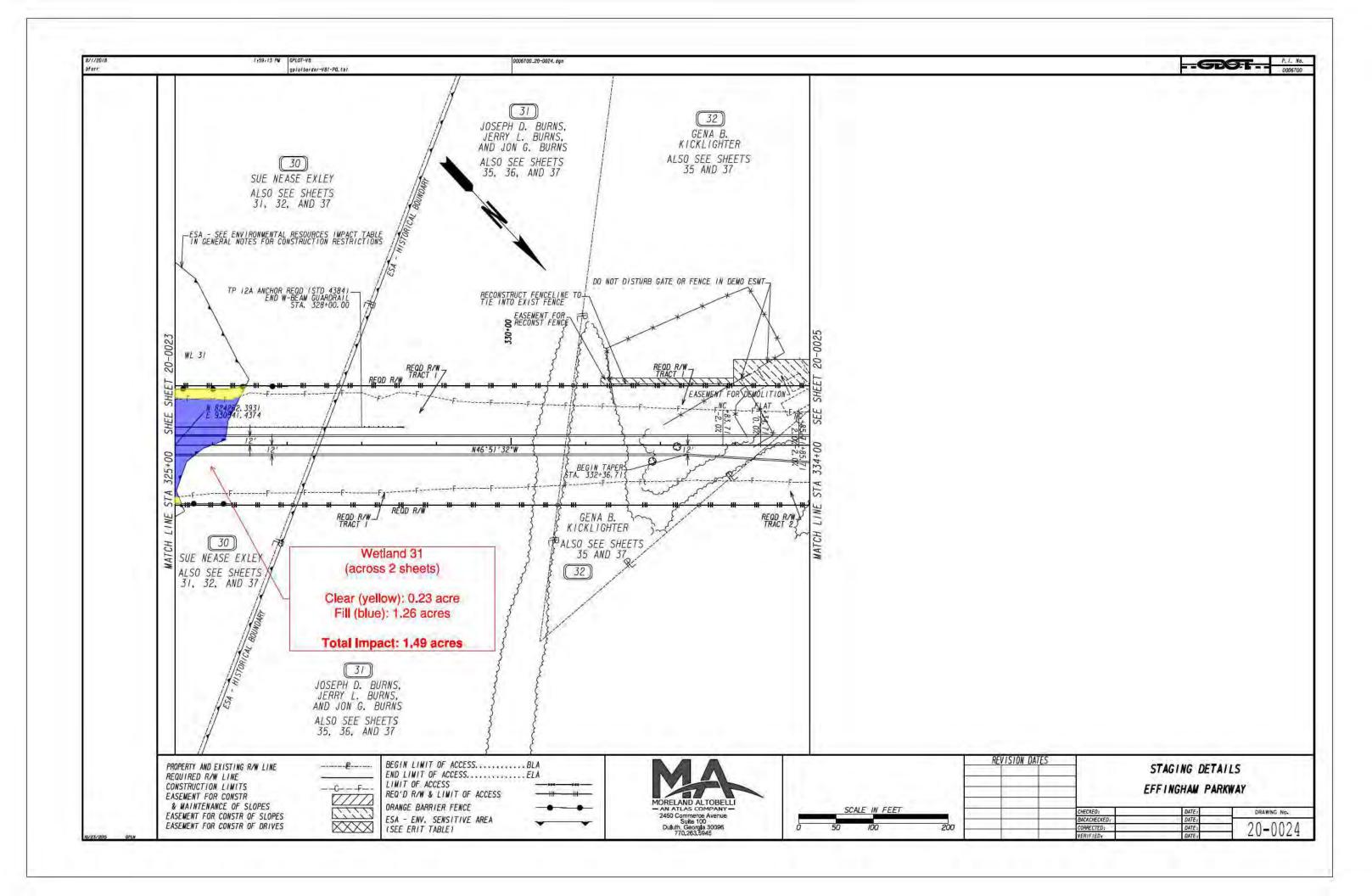


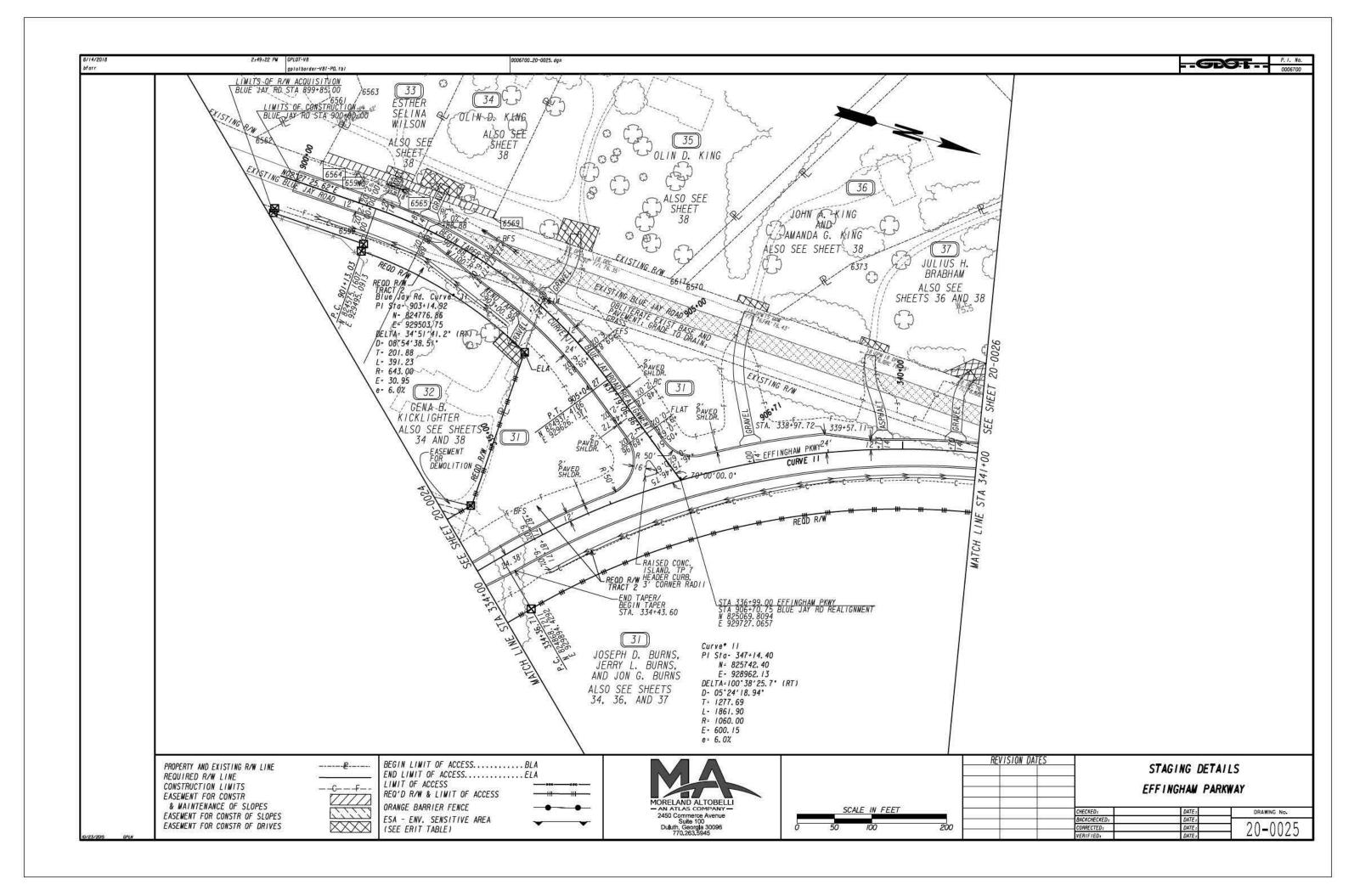












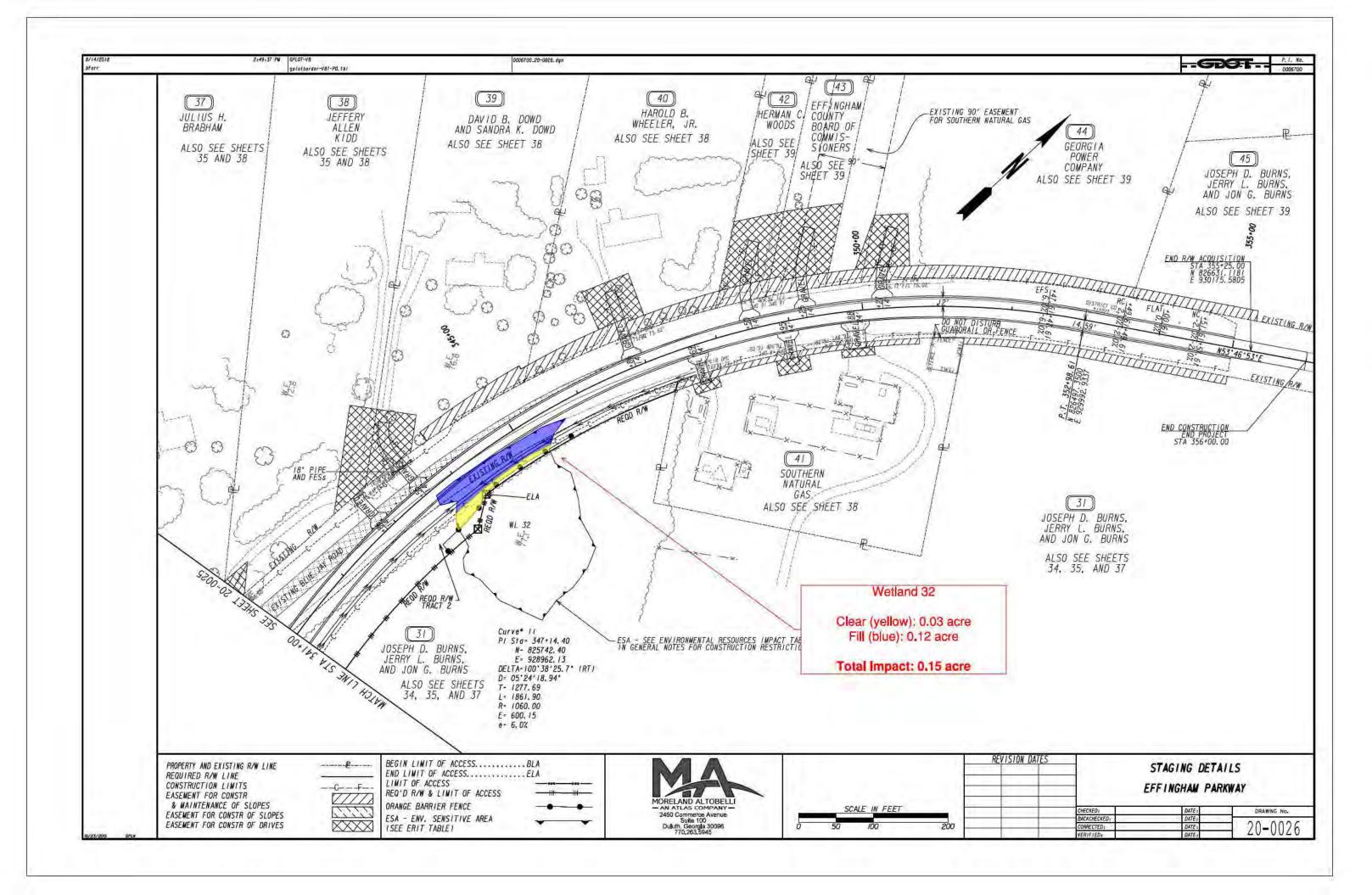


Figure 9: Corridor Study Areas

